



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Wednesday, January 11th, 2023

1:00 p.m.

Council Members Present:

Mayor Cheryl Philip

Councillors: Keven Beaucage; Heather Pateman; Mike Rickward; and Jill Sharer

Staff Present:

Brenda J Fraser, CAO/Clerk/Treasurer

Cindy Filmore, Deputy Clerk

Leslie Harvie, Deputy Treasurer

Scott McKay, Public Works Working Foreperson

Matt Clouthier, Deputy Chief Building Official

1. Call the Meeting to Order

Res. No. 1/11/01/2023 Jill Sharer, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on January 11th, 2023 be declared open and called to order at 1:01 p.m. **CARRIED**

2. Approval of Agenda

Res. No. 2/11/01/2023 Jill Sharer, Keven Beaucage

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on December 14th, 2022 be adopted as amended.

ADD 6(a) Dog Sled Races Advisory Committee Resolution re: Road Closure

CARRIED

3. Declaration of Pecuniary Interest and the General Nature Thereof

Councillor Rickward declared a pecuniary interest with regard to Payment Register Cheque # 32316, the reason being: Cheque to family business.

Councillor Pateman declared a pecuniary interest with regard to List of Accounts Cheques Numbers 32292 and 32334, the reason being: Written to my business

Councillor Beaucage declared a pecuniary interest with regard to Closed Session Item #4.1 - Communications & Public Relations Co-Ordinator, the reason being: Daughter was interviewed for the position.

4. Delegations/Presentations

(a) Delegations

(i) Jacqueline Tumber re: Use of Ball Diamond

Ms. Tumber approached Council to discuss the use of the Ball diamond as a dog park and her concern for the health and well being of children also using this space. Discussion of Council resulted in the following Resolution.

Res. No. 4(a)(i)/11/01/2023 Jill Sharer, Mike Rickward

WHEREAS Council has received concerns regarding the use of the Ball Diamond property as a dog park;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs that signage be installed stating that no animals are permitted within the fenced area of the Ball Diamond property. **CARRIED**

(b) Presentations – Nil

5. Minutes

(a) Adoption of Minutes

Res. No. 5(a)(i)-(iii)/11/01/2023 Keven Beaucage, Jill Sharer

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* – December 14th, 2022

(ii) Public Meeting, *Draft Minutes* - RZ-07-22 (Bailey)

(iii) Public Meeting, *Draft Minutes* – RZ 05-22 (MacEachren)

CARRIED

(b) **Receive Committee Minutes - Nil**

6. **Committee Resolutions for Consideration**

Res. No. 6(a)/11/01/2023 Jill Sharer, Keven Beaucage

WHEREAS Council had previously authorized the closure of the section of Main Street from the intersection of Lakeview Avenue and Main Street, to the parking lot of the LCBO near the intersection of Rain Lake Road and Main Street, for the duration of the 2023 Dog Sled Races event;

AND WHEREAS the Advisory Committee has recommended using the Baseball Diamond property instead of the Community Centre property as a result of the current KCC renovations;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney authorizes the closure of the section of Patton Road from the intersection of Park Street to King William Road for the duration of the Dog Sled Races 2023 community festival; **AND FURTHER** access shall remain open for Public Works operations during this weekend event;

AND FURTHER Council authorizes the rental OR purchase of a suitable structure as a warming area for the dog sled races event. **CARRIED**

Res. No. 6(b)/11/01/2023 Mike Rickward, Keven Beaucage

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney directs that the Kallio Transfer Station site will be open 9 a.m. – 5 p.m. during the Dog Sled Races event. **CARRIED**

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: 2022 Year End Building Activity Report**

Res. No. 10(c)(i)/11/01/2023 Jill Sharer, Mike Rickward

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney acknowledges receipt of the Building Activity Report for 2022 from CBO Brian Horsman. **CARRIED**

(b) **Planning - Nil**

(c) **Operations**

(i) **Transfer Station Report re: December 9th, 2022 – December 27th. 2022 Report only.**

(ii) **Report and Resolution re: West Bay Road maintenance/extension**

Res. No. 10(c)(ii)/11/01/2023 Keven Beaucage, Jill Sharer

WHEREAS Council has received requests from residents on West Bay Road to provide winter maintenance beyond West Bay Road bridge;

AND WHEREAS the Town has multiple unmaintained roads;

AND WHEREAS prior to this maintenance being instigated, road improvements will be required to ensure the safety of municipal staff and road users;

NOW THEREFORE BE IT RESOLVED that Council directs Staff to obtain estimated costs for consideration in our 2023 Budget for the road improvements being discussed and for all Town Owned unmaintained roads to be included. **CARRIED**

Res. No. 10(c)(ii)(a)/11/01/2023 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines to form a Roads Committee to review and make recommendations to Council regarding improvements to our Town's unmaintained Roads. **CARRIED**

Res. No. 10(c)(ii)(b)/11/01/2023 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to verify the dollar amount insurance requirement being stated by the Town, for plowing unmaintained Town roads;

AND FURTHER seed confirmation that the Town is not required to be named as an Insured. **CARRIED**

Res. No. 10(c)(ii)(c)/11/01/2023 Mike Rickward, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to provide sand, in a small container, to the bridge at West Bay Road. **CARRIED**

(iii) **Report and Resolution re: Island Lake Road extension**

Res. No. 10(c)(iii)/11/01/2023 Keven Beaucage, Heather Pateman

WHEREAS Council has received a request to consider extending Island Lake Road approximately two kilometers;

AND WHEREAS a road in the requested vicinity traverse across private property;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to prepare a Policy for Council consideration that addresses requests for Town road improvements.

DEFERRED

(iv) **Resolution re: Tender for Engineer of Record**

Res. No. 10(c)(iv)/11/01/2023 Jill Sharer, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes Staff to request proposals from qualified professionals, for an Engineer of Record;

AND FURTHER that a recommendation be provided at the next regular Council meeting, to appoint the successful Engineering Firm.

CARRIED

(v) **Resolution re: Letter to Engineers for payout of Cashman Creek Bridge Tender**

Res. No. 10(c)(v)/11/01/2023 Keven Beaucage, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes Staff to consult our legal advisor for options as a result of the Engineer's recommendation to release funds at the completion of the Cashman Creek Bridge replacement project.

CARRIED

(vi) **Discussion and Resolution re: Sand Lake Boat Ramp Tender; Beaver Lake Boat Ramp Tender**

Res. No. 10(c)(vi)/11/01/2023 Keven Beaucage, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to provide the draft Boat Ramp Tenders for Sand Lake and Beaver Lake and reach out to Engineering Firms with experience in ramps and Marine facilities, for review and processing.

CARRIED

(vii) **Resolution re: Appointment of Selection Team for Equipment Operator**

Res. No. 10(c)(vii)/11/01/2023 Jill Sharer, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby appoints Scott McKay, Brenda Fraser and Heather Pateman as members of the Selection Team, for the Equipment Operator position.

CARRIED

(viii) **Discussion and Resolution re: Gray Jay Lane**

Res. No. 10(c)(viii)(a)/11/01/2023 Jill Sharer, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to contact the property owners who previously accessed their residences via Gray Jay Lane but are now accessing their properties via Sunken Island Lane, to advise them of a civic address change for their respective properties.

CARRIED

(ix) **Discussion and Resolution re: St Patrick's Church parking lot plowing**

Res. No. 10(c)(ix)/11/01/2023 Keven Beaucage, Heather Pateman

WHEREAS the Town has been plowing the parking lot at St. Patrick's Church for a number of years;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines to search for a Resolution.

CARRIED

(d) Administration

(i) **Discussion and By-law No. 2023-01 re: Changes to Procedural By-law**

Res. No. 10(d)(i)/11/01/2023 Jill Sharer, Keven Beaucage

By-law No. 2023-01, Being a By-law to Govern the Calling, Place and Proceedings of Meetings of Council and Committees, be read a first, second and third time and numbered 2023-01 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

(ii) **By-law No. 2023-xx re: Zoning By-law Amendment RZ-07-22 (Bailey)**

Res. No. 10(d)(ii)/11/01/2023 Jill Sharer, Mike Rickward

By-law No. 2023-02, Being a By-law under the provisions of Sections 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to amend By-law No. 2022-20, as amended, the Town of Kearney Zoning By-law, with respect to lands described as Pt Lt 17 Con 4 Proudfoot, Kearney, being all of the lands described in ARN 4918 030 001 35800 in the Geographic Township of Proudfoot, now in the Town of Kearney, be read a first, second and third time and numbered 2023-02 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) **By-law No. 2023-xx re: Zoning By-law Amendment RZ-05-22 (MacEachren)**
Res. No. 10(d)(iii)/11/01/2023 Mike Rickward, Jill Sharer
By-law No. 2023-03, Being a By-law under the provisions of Sections 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to amend By-law No. 2022-20, as amended, the Town of Kearney Zoning By-law, with respect to lands described as Pt Lt 12 Con 8 Proudfoot, Kearney, being all of the lands described in ARN 4918 030 001 51300 in the Geographic Township of Proudfoot, now in the Town of Kearney, be read a first, second and third time and numbered 2023-03 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) **By-law No. 2023-xx re: Levying of Interim Tax Rates**
Res. No. 10(d)(iv)/11/01/2023 Jill Sharer, Mike Rickward
By-law No. 2023-04, Being a By-law to Authorize the Levying of Interim Tax Rates, be read a first, second and third time and numbered 2023-04 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**

(v) **By-law No. 2023-xx re: Agreement for Integrity Commissioner Services**
Res. No. 10(d)(v)/11/01/2023 Keven Beaucage, Heather Pateman
By-law No. 2023-05, Being a By-law to Appoint an Integrity Commissioner, be read a first, second and third time and numbered 2023-05 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**

(vi) **Resolution re: Council honorarium**
Res. No. 10(d)(vi)/11/01/2023 Keven Beaucage, Heather Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall increase Council honourarium beginning February 1, 2023, as follows:

▪ Councillors	from \$800 / month to \$950 / month	Increase of \$150 per month
▪ Mayor	from \$1,000/month to \$1,300 /month	Increase of \$300 per month

AND FURTHER that Councillor Rickward shall donate his 2023 honorarium as follows: Six (6) months to the Kearney and Area Library; Three (3) months to Kearney Environmental Watershed Foundation, and three 3 months for flowers for downtown beautification. **CARRIED**

(vii) **Discussion and Resolution re: Advertisement for a full-time General Maintenance Attendant**
Res. No. 10(d)(vii)/11/01/2023 Jill Sharer, Mike Rickward
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the Clerk to advertise a full time Employment Opportunity for the position of General Maintenance Attendant. **CARRIED**

(viii) **Discussion and Resolution re: 2023 Hiring Policy**
Res. No. 10(d)(viii)/11/01/2023 Jill Sharer, Heather Pateman
By-law No. 2023-06, Being a By-law to Establish a Hiring Policy and Process, be read a first and second time and numbered 2023-06. **CARRIED**

(ix) **Resolution re: Appointments to Town Committees**
Res. No. 10(d)(ix)/11/01/2023 Jill Sharer, Mike Rickward
WHEREAS Council is accepting applications from members of the public to sit on our Town Committees;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to promote two Committees, individually, for a 2 week period, outlining specifics of each Committee and inviting individuals to volunteer. **CARRIED**

(x) **Resolutions re: Appointments to joint Committees for our Zone**
Res. No. 10(d)(x)/11/01/2023 Keven Beaucage, Heather Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall defer nominating 'joint' appointees, until we receive appointment resolutions from the other municipalities in our zone. **CARRIED**

(xi) **Report and Resolution re: Emergency Response Plan**
Res. No. 10(d)(xi)/11/01/2023 Jill Sharer, Mike Rickward
WHEREAS our Emergency Response Plan has not been updated in many years;
AND WHEREAS Emergency Management training and an annual exercise are required for compliance with legislation;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney requests Staff to provide an updated Plan for Council review and enactment;

AND FURTHER Council requests that Staff provide available dates for training, at our next Regular Meeting.

(xii) **Resolution re:** Resolution Report

Res. No. 10(d)(xii)/11/01/2023 Jill Sharer, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the Resolution Report update to January 10, 2023. **CARRIED**

(e) **Treasury**

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

Res. No. 10(e)(i)(a)/11/01/2023 Mike Rickward, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs that the Town Staff will manage the recycling of metal, effective January 11, 2023. **CARRIED**

Res. No. 10(e)(i)(b)/11/01/2023 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the 'List of Accounts' for Cheques #32280 to #32370 in the total amount of \$454,939.50. **CARRIED**

(ii) **Report re:** Budgetary Control – December 2022

Res. No. 10(e)(ii)/11/01/2023 Jill Sharer, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the Budgetary Control Report for the period 2022-01-01 to 2022-12-31. **CARRIED**

(iii) **Discussion and Resolution re:** Treasurer position – see (iv) below

(iv) **Discussion and Resolution re:** Financial Consultant

Res. No. 10(e)(iii)-(iv)/11/01/2023 Keven Beaucage, Heather Pateman

WHEREAS in an earlier decision of Council, duties were removed from the External Auditor Request for Proposal;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to provide a new job description for a Treasurer and also for a financial consultant position. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on January 11, 2023 – **Report only.**

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

(h) **Council Presentations**

(i) **Councillor Beaucage re:** Information to be included in the Town Newsletter
Council discussed reviewing the Interim Tax Notice newsletter for items to be included.

(ii) **Councillor Pateman re:** Unceded Territory Land Claim
Councillor Pateman shared the details she has been able to obtain regarding Unceded Land claims.

(ii) **Mayor Philip re:** Date for 2023 Budget discussions
Council discussion resulted in the decision to hold a Special Meeting on January 31st, 2023 at 6:00 p.m. to discuss the 2023 Budget.

(iii) **Deputy Mayor Rickward re:** Rental of Park Office
Discussion of Council resulted in the following Resolution.

Res. No. 10(h)(iv)/11/01/2023 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has further discussed the Parks Office space and determines to continue the use of the Parks Office in that space for 2023. **CARRIED**

11. Correspondence

(a) **Action Items** – Nil

(b) **Information Items**

(i) **Eastholme, Home for the Aged re:** Administrator's Report - December 2022

(ii) **Kearney Watershed Environmental Foundation re:** December 2022 Newsletter

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)-(c)/11/01/2023 Jill Sharer, 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 4:16 p.m. for discussion regarding:

- (a) *Personal matters about an identifiable individual, including municipal or local board employees*
 - (b) *Advice that is subject to solicitor-client privilege, including communications necessary for that purpose*
 - (c) *A proposed or pending acquisition or disposition of land by the municipality or local board*
- CARRIED**

Res. No. 13(d)/11/01/2023 Jill Sharer, Keven Beaucage

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 5:22 p.m.

CARRIED

14. Business Arising from Closed Session

Res. No. 14(a)/11/01/2023 Mike Rickward, Jill Sharer

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

CARRIED

Mayor Philip reported on matters discussed in Closed Session.

15. Confirming By-Law

Res. No. 15/11/01/2023 Jill Sharer, Mike Rickward

By-law No. 2023-07, Being a By-law to confirm the proceedings of Council at its Public Meeting held on December 14th, 2022 (RZ-07-22); at its Public Meeting held on December 14th, 2022 (RZ-05-22); and at its Regular Meeting held on January 11th, 2023, be read a first, second and third time and numbered 2023-07 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. 16/11/01/2023 Jill Sharer, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 5:24 p.m. to meet again at 6:00 p.m. on Thursday, February 2nd, 2023, in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**


Cheryl Philip, Mayor


Brenda J. Fraser, Clerk