



The Corporation of the Town of Kearney

Box 38 8 Main Street Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, April 6th, 2018

1:00 p.m.

Council Members Present:

Mayor Lance Thrale

Councillors: Carol Ballantyne, Ron Patton, Cheryl Philip, Liz Stermsek and Yvonne Wills

Staff Present:

Brenda J. Fraser, Clerk Administrator

Linda Moyer, Planning Technician

Regrets:

Deputy Mayor Paul Ziraldo

1. Call the Meeting to Order

Res. No. 1/06/04/2018 Ron Patton, Carol Ballantyne

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on April 6, 2018 be declared open and called to order at 1:00 p.m. **CARRIED**

Moment of Silence to honour the memory of Lucille Perrier and to honour the memory of Willie O'Connor.

2. Approval of Agenda

Res. No. 2/06/04/2018 Carol Ballantyne, Ron Patton

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on April 6, 2018 be adopted as amended.

ADD 2(b) Appoint Chairperson during the April 6, 2018 Council meeting
ADD 10(e)(iii) By-law No. 2018-18 Being a By-law to Designate Persons Authorized to Sign Cheques issued by the Municipality

CARRIED

Res. No. 2(b)/06/04/2018 Carol Ballantyne, Ron Patton

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney appoints Councillor Yvonne Wills to act as Chairperson during the Council Meeting of April 6, 2018, in the absence of Mayor Lance Thrale. **CARRIED**

3. Declaration of Pecuniary Interest and the General Nature Thereof

Mayor Thrale declared a pecuniary interest with regard to Item 10(b)(ii) Cost of Land, with the reason being: He is a property owner affected by the Resolution.

4. Delegations/Presentations

(a) Delegations

(i) **Brent Kirkby re:** Year round maintenance on West Bay Road
Mr. Kirkby requested year round maintenance on West Bay Road. Council requested a Staff report be provided, to address this request.

(ii) **Gary Fraser re:** Brushing within the Town
Mr. Fraser expressed concern regarding the visual effect of the debris resulting from the forestry mulcher used to brush the sides of the roads. Council advised that this work was still in progress and that further cleanup by the roads department was planned.

(iii) **Chris Elton re:** Rebuttal to Haun Letter
Mr. Elton reiterated his family's attempts to gain road access to their property via the adjacent property owned by the Haun family, resulting in their request to purchase a portion of the Shore Road Allowance to secure water access. A Resolution of Council follows under Agenda Item 10.(b).

(b) Presentations

(i) **Tom Burkett, CEO, Ontario Graphite Ltd. re:** Quarterly update
Mr. Burkett, provided a status report with regard to the capital raise process and work done to the tailings dam and to the polishing pond at the

Graphite Mine. He noted that a copy of the MOECC report was provided to the Town, to the Sand Lake Property Owners Association, to PowerMag, and is also available on line. Mr. Burkett introduced Mike Wereszczynsky and Eric DuBuc, who accompanied him to this meeting and who will also be involved in quarterly updates to Council.

5. **Minutes**

(a) **Adoption of Minutes**

- (i) **Regular Meeting**, Draft Minutes – March 16th, 2018
- (ii) **Special Meeting**, Draft Minutes – March 15th, 2018
- (iii) **Special Meeting**, Draft Minutes – March 20th, 2018

Res. No. 5(a)(i)-(iii)/06/04/2018 Liz Stermsek, Yvonne Wills

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 Minutes – March 16th, 2018
- (ii) Special Meeting Minutes – March 15th, 2018
- (iii) Special Meeting Minutes – March 20th, 2018

CARRIED

(b) **Receive Committee Minutes**

- (i) **Regional Fire Services Committee**, *draft* Minutes – March 15th, 2018

Res. No. 5(b)(i)/06/04/2018 Yvonne Wills, Carol Ballantyne

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

- (i) Regional Fire Services Committee, *draft* Minutes – March 15th, 2018

CARRIED

6. **Committee Resolutions for Consideration** – Nil

7. **Public Hearings (Pursuant to the Planning Act)**

- (a) **Report and Resolution re:** Amendment to Zoning By-law No. 2002-28, as amended RZ-01-18 (MURDY)

Res. No. 7(a)/06/04/2018 Yvonne Wills, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves application RZ-01-18 (MURDY) to rezone a portion of the lands located in Part of Lots 12 & 13, Concession 5, (118 Taverner's Road), in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Rural (RU) Zone to the Rural Exception Seventeen (RU-17) to permit a reduced lot frontage of 30 metres, as required by the conditions of consent.

CARRIED

- (b) **By-law No. 2018-xx re:** To amend Zoning By-law No. 2002-28, as amended RZ-01-2018 (MURDY)

Res. No. 7(b)/06/04/2018 Liz Stermsek, Yvonne Wills

By-law No. 2018-13 Being a By-law to amend Zoning By-law No. 2002-28, as amended (MURDY) be read a first, second and third time and numbered 2018-13 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**

(b) **Planning**

- (i) **Report and Resolution re:** Request to Purchase Shore Road Allowance (ELTON)

Res. No. 10(b)(i)/06/04/2018 Carol Ballantyne, Ron Patton

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves in principle, the purchase of the shore road allowance in front of part of Lots 13 & 14, Concession 2, Part 5, 42R-16622, Township of Proudfoot (ELTON)

AND FURTHER that Council would like Mr. Elton to qualify if Mr. Haun would like deeded path right-of-way, at Mr. Haun's expense.

CARRIED

In accordance with his declaration, at this time (2:08 p.m.), Mayor Thrale passed the Chair position to Councillor Wills and left the room for the ensuing discussion.

- (ii) **Report and Resolution re:** Cost of Land – Road Allowances; Shore Road Allowances

Res. No. 10(b)(ii)/06/04/2018 Yvonne Wills, Carol Ballantyne

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that the cost for the purchase of a Shore Road Allowance shall be \$0.65 per square foot, and the cost for the purchase of a Road Allowance shall be \$ 0.45 per square foot;

AND FURTHER that the cost of a road allowance within 100 metres of a waterbody shall be \$ 0.65 per square foot;

AND FURTHER Council has the option in the event of a dispute over the cost of land, to permit an alternate method of valuation such as appraisal, or cost per linear foot;

AND FURTHER that the applicant shall be responsible for all applicable application, administration, appraisal, legal and survey fees.

AND FURTHER that this pricing shall not apply to existing Shore Road Allowance Applications currently in process.

CARRIED

Mayor Thrale resumed his position at the Council table -Time: 2:34 p.m. – for the remainder of the Council meeting.

(c) **Operations** - Nil

(d) **Administration**

- (i) **By-law No. 2018-xx re:** To enter into a funding agreement with the Association of Municipalities of Ontario for Ontario's Main Street Revitalization Initiative

Res. No. 10(d)(i)/06/04/2018 Carol Ballantyne, Yvonne Wills

By-law No. 2018-11 Being a By-law to authorize the signing of an Agreement between The Association of Municipalities of Ontario and The Corporation of the Town of Kearney be read a first, second and third time and numbered 2018-14 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) **By-law No. 2018-xx re:** To Regulate the Placement of Election Campaign Signs

Res. No. 10(d)(ii)/06/04/2018 Ron Patton, Liz Stermsek

By-law No. 2018-15 Being a By-law to regulate the Placement of Election Campaign Signs on Public Properties and Road Allowances under the Jurisdiction of the Town of Kearney be read a first, second and third time and numbered 2018-15 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. 2018-xx re:** Joint Compliance Audit Committee

Res. No. 10(d)(iii)/06/04/2018 Yvonne Wills, Liz Stermsek

By-law No. 2018-16 Being a By-law to establish a Joint Compliance Audit Committee and Appoint Committee Members for the 2018 Municipal Election period be read a first, second and third time and numbered 2018-16 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

(e) **Treasury**

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

Res. No. 10(e)(i)/06/04/2018 Liz Stermsek, Yvonne Wills

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 #27658 to #27715 in the total amount of \$409,869.88.

CARRIED

- (ii) **Resolution re:** Council Honoraria

Res. No. 10(e)(ii)/06/04/2018 Ron Patton, Cheryl Philip

WHEREAS the Council of the Corporation of the Town of Kearney has reviewed the comparison between honoraria in the surrounding municipalities;

NOW THEREFORE BE IT RESOLVED that in accordance with the discussion of Council at their Regular meeting on February 23rd, 2018, the Council of the Corporation of the Town of Kearney approves the honoraria to be paid to the Mayor and Councillors as follows:

Effective December 1st, 2018

The Mayor shall be paid \$1,000.00 per month

Each Councillor shall be paid \$800.00 per month

CARRIED

(iii) **By-law No. 2018-xx re:** Designate Persons Authorized to Sign Cheques

Res. No. 10(e)(iii)/06/04/2018 Carol Ballantyne, Cheryl Philip

By-law No. 2018-18 Being a By-law to Designate Persons Authorized to Sign Cheques Issued by the Municipality be read a first, second and third time and numbered 2018-18 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

(f) Fire and Emergency Services

(i) **Report re:** Acting Fire Chief, Fire Department Report for regular Council meeting on April 6th, 2018. - **Report only**

(ii) **Report and Resolution re:** Appointment of new fire fighter

Res. No. 10(f)(ii)/06/04/2018 Carol Ballantyne, Ron Patton

BE IT RESOLVED that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Jordon Burke 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) Transfer Station Report - Nil

(h) Council Presentations

(i) **Deputy Mayor Paul Ziraldo re:** Muskoka Algonquin Health Care Board of Directors

Res. No. 10(h)(i)/06/04/2018 Carol Ballantyne, Ron Patton

WHEREAS the Council of the Corporation of the Town of Kearney and a majority of the Community have collectively lost confidence in the leadership of Muskoka Algonquin Health Care;

NOW THEREFORE BE IT RESOLVED that Council requests the Minister of health immediately dismiss the Board of Directors and the CEO of Muskoka Algonquin health Care;

AND FURTHER that Muskoka Algonquin Health Care be dissolved and the existing two hospitals revert back to the separate entities of Huntsville and District Memorial Hospital and South Muskoka Memorial Hospital;

AND FURTHER that this Resolution be circulated to the Minister of Health, MPP Norm Miller, MP Tony Clement, the Muskoka Algonquin Health Care catchment area including Almaguin Highlands.

DEFERRED

(ii) **Councillor Cheryl Philip re:** Street Brushing on Clam Lake Road
Further to the discussion during Agenda Item 4(a)(ii), Council noted that this equipment is used throughout our District and important that follow up clean up takes place.

11. Correspondence

(a) Action Items

(i) **Paul Tomlinson re:** Request for Attendance Record for members of Council

Resolution No. 11(a)(i)/06/04/2018 Ron Patton, Cheryl Philip

WHEREAS it is not an administrative practice to record the attendance of Members of Council at their meetings;

AND WHEREAS a request has been received for a record detailing the attendance for the Mayor and Council for all Council meetings, both regular and special, thus far during this term of Council;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to create a report that would record the attendance of Council for Regular and Special meetings;

AND FURTHER that this attendance record cover the term 2014 - 2018;

AND FURTHER that this practice shall continue going forward.

Recorded Vote requested by Mayor Thrale

Carol Ballantyne	Yes
Ron Patton	Yes
Cheryl Philip	No
Liz Stermsek	Yes
Yvonne Wills	No
Paul Ziraldo	Absent
Mayor Lance Thrale	Yes

CARRIED

(b) Information Items - Nil

12. **Other Business - Nil**
13. **Closed Session - Nil**
14. **Business Arising from Closed Session - Nil**
15. **Confirming By-Law No. 2018-xx** being a By-law to confirm the proceedings of Council at its Special Meeting held on March 20th, 2018 and at its Regular Meeting held on April 6th, 2018.

Res. No. 15/06/04/2018 Carol Ballantyne, Ron Patton

By-law No. 2018-17, Being a By-law to confirm the proceedings of Council at its Special Meeting held on March 20th, 2018 and at its Regular meeting held on April 6th, 2018 be read a first, second and third time and numbered 2018-17 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. 16/06/04/2018 Ron Patton, Carol Ballantyne

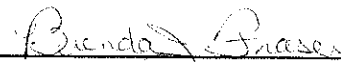
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 3:08 p.m. to meet again at 1:00 p.m. on April 27, 2018 in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Lance Thrale, Mayor



Brenda J. Fraser, Clerk Administrator