



# The Corporation of the Town of Kearney

Box 38 8 Main Street Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, June 29<sup>th</sup>, 2018

6:00 p.m.

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#### Council Members Present:

Mayor Lance Thrale

Councillors: Carol Ballantyne, Ron Patton, Liz Stermsek,  
Yvonne Wills and Paul Ziraldo

#### Staff Present:

Brenda J. Fraser, Clerk Administrator

Keven Beaucage, Deputy Clerk Treasurer

Linda Moyer, Planning Technician

Ross Gattozzi, Operations Manager

#### Regrets:

Councillor Cheryl Philip

#### 1. Call the Meeting to Order

**Res. No. 1/29/06/2018 Carol Ballantyne, Ron Patton**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on June 29, 2018 be declared open and called to order at 6:00 p.m. **CARRIED**

*Moment of Silence to honour the memory of Anthony Azeez, to honour the memory of Fay Turner.*

#### 2. Approval of Agenda

**Res. No. 2/29/06/2018 Carol Ballantyne, Ron Patton**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on June 29, 2018 be adopted as amended.

**ADD 10(h)(i) By-law Enforcement discussion CARRIED**

#### 3. Declaration of Pecuniary Interest and the General Nature Thereof - None Noted.

#### 4. Delegations/Presentations

##### (a) Delegations

(i) **Ellerton Castor, CFO & Chief Administrator Officer, Ontario Graphite Ltd. Re: Quarterly Report**

Mr. Ellerton Castor expressed appreciation for the opportunity to come before Council to speak to the recent Orders issued by the Ministry and to highlight the improvements Ontario Graphite Ltd. has taken to date, to address those environment concerns.

##### (b) Presentations - Nil

#### 5. Minutes

##### (a) Adoption of Minutes

(i) **Special Meeting, Draft Minutes – June 8<sup>th</sup>, 2018**

(ii) **Regular Meeting, Draft Minutes – June 8<sup>th</sup>, 2018**

(iii) **Special Meeting, Draft Minutes – June 14<sup>th</sup>, 2018**

**Res. No. 5(a)(i)-(iii)/29/06/2018 Yvonne Wills, 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) **Special Meeting, Draft Minutes – June 8<sup>th</sup>, 2018**

(ii) **Regular Meeting, Draft Minutes – June 8<sup>th</sup>, 2018**

(iii) **Special Meeting, Draft Minutes – June 14<sup>th</sup>, 2018 CARRIED**

##### (b) Receive Committee Minutes

(i) **Kearney Community Centre Committee, Minutes: May 14, 2018**

(ii) **Regatta Advisory Committee, Minutes: May 17, 2018**

**Res. No. 5(b)(i)-(ii)/29/06/2018 Paul Ziraldo, Yvonne Wills**

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

(i) **Kearney Community Centre Committee**, Minutes: May 14, 2018

(ii) **Regatta Advisory Committee**, Minutes: May 17, 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-03-18 (DALLAIRE)

**Res. No. 7(a)/29/06/2018 Liz Stermsek, Ron Patton**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves application RZ-03-18 (DALLAIRE) to rezone lands located in Part of Lots 1 & 2, Concession 8, Parts 4, 5 & 7, Plan 42R-15733 and Parts 1 – 9, Plan 42R-20991 (120 Dallaire Lane), in the Geographic Township of Bethune, now in the Town of Kearney, from the Rural (RU) Zone to the Residential Waterfront Exception Forty-eight (RWF-48) Zone to require that all buildings and sewage disposal systems are set back a minimum of 30 metres from the shoreline of Perbeth Lake and require that a 30 metre vegetative buffer is maintained with the exception of limited shoreline structures and a pervious pathway to access the water, as required by the conditions of approval for consent applications B-009/17, B-010/17, B-011/17 & B-012/17. **CARRIED**

(b) **By-law No. 2018-xx re:** To amend Zoning By-law No. 2002-28, as amended RZ-03-2018 (DALLAIRE)

**Res. No. 7(b)/29/06/2018 Ron Patton, Liz Stermsek**

**By-law No. 2018-30** Being a By-law to amend Zoning By-law No. 2002-28, as amended (DALLAIRE/1471969 ONTARIO INC.) be read a first, second and third time and numbered 2018-30 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) **Report and Resolution re:** Amendment to Zoning By-law No. 2002-28, as amended RZ-04-18 (BARKMAN)

**Res. No. 7(c)/29/06/2018 Ron Patton, Carol Ballantyne**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves application RZ-04-18 (BARKMAN) to rezone lands located in Part of Lot 15, Concession 5, Part 2, Plan 42R-17587, in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Hazard Lands (HZ) Zone to the Rural (RU) Zone.

(d) **By-law No. 2018-xx re:** To amend Zoning By-law No. 2002-28, as amended RZ-04-2018 (BARKMAN)

**Res. No. 7(d)/29/06/2018 Carol Ballantyne, Liz Stermsek**

**By-law No. 2018-31** Being a By-law to amend Zoning By-law No. 2002-28, as amended (BARKMAN) be read a first, second and third time and numbered 2018-31 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) **Report and Resolution re:** Amendment to Zoning By-law No. 2002-28, as amended RZ-05-18 (STROYAN)

**Res. No. 7(e)/29/06/2018 Yvonne Wills, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves application RZ-05-18 (STROYAN) to rezone Part of Lots 2 & 3, Concession 12, Lot 2, Plan M-647 (206 Riverside Drive), in the Geographic Township of Bethune, now in the Town of Kearney, from the Residential Waterfront Exception Eight (RWF-8) Zone to the Residential Waterfront Exception Forty-nine (RWF-49) Zone to permit a secondary dwelling unit above an accessory building (garage) and to permit a building height of 7.92 metres for the accessory building and dwelling unit. **CARRIED**

(f) **By-law No. 2018-xx re:** To amend Zoning By-law No. 2002-28, as amended RZ-05-2018 (STROYAN)

**Res. No. 7(f)/29/06/2018 Carol Ballantyne, Liz Stermsek**

**By-law No. 2018-32** Being a By-law to amend Zoning By-law No. 2002-28, as amended (STROYAN) be read a first, second and third time and numbered 2018-32 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** - Nil

(b) **Planning** - Nil

(c) **Operations**

(i) **Report and Resolution re:** Surface treatment Tender

**Res. No. 10(c)(i)/29/06/2018 Yvonne Wills, Liz Stermsek**

**WHEREAS** the Town of Kearney requested a Tender for Single & Double Surface Treatment;

**AND WHEREAS** two Tenders were received as follows:

1. Bruell Contracting Ltd., in the amount of \$138,408.05
2. Duncor Enterprises, in the amount of \$154,751.24

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby accepts and awards the Tender for Single and Double Surface Treatment to Bruell Contracting Ltd., in the amount of \$138,408.05. **CARRIED**

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

**Res. No. 10(c)(ii)/29/06/2018 Paul Ziraldo, Yvonne Wills**

**WHEREAS** the Town of Kearney requested a Tender for the Supply of Winter Sand;

**AND WHEREAS** two Tenders were received as follows:

1. Whitmell Sand and Gravel Ltd., in the amount of \$50,528.00
2. A Miron Topsoil Ltd., in the amount of \$48,736.00

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby accepts and awards the Tender for the Supply of Winter Sand to Whitmell Sand and Gravel Ltd., in the amount of \$50,528.00. **CARRIED**

(iii) **Report and Resolution re:** Gravel Tender

**Res. No. 10(c)(iii)/29/06/2018 Yvonne Wills, Liz Stermsek**

**WHEREAS** the Town of Kearney requested a Tender for the Supply and Application of Granular 'A' Gravel;

**AND WHEREAS** one Tender was received as follows:

1. Whitmell Sand and Gravel Ltd., in the amount of \$167, 7000.00 plus taxes
2. Duncor Enterprises, in the amount of \$154,751.24

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby accepts and awards the Tender for the Supply and Application of Granular 'A' Gravel to Whitmell Sand and Gravel Ltd., in the amount of \$167,700.00. **CARRIED**

(iv) **Report and Resolution re:** Request to close portion of Pine Road

**Res. No. 10(c)(iv)/29/06/2018 Paul Ziraldo, Yvonne Wills**

**WHEREAS** the Town of Kearney has received a request to close a portion of Pine Road for an off-road motorcycle event;

**AND WHEREAS** in accordance with legislation, unlicensed motor vehicles are not permitted on highways, which included Municipal roads:

**NOW THEREFORE BE IT RESOLVED** that in accordance with the legislation, the Council of the Corporation of the Town of Kearney can not support the use of municipal roads for this event. **CARRIED**

(d) **Administration**

(i) **Report and Resolution re:** OSRCF Funding Requirement – Policy to Support Physical Activity Opportunities

**Res. No. 10(d)(i)/29/06/2018 Carol Ballantyne, Ron Patton**

**WHEREAS** the Council of the Corporation of the Town of Kearney recognizes the importance of Physical Activity for all members of society;

**AND WHEREAS** the Ontario Ministry of Culture, Sport and Recreation encourages the adoption of a Policy recognizing the importance of the availability of Physical Activity for all members of the Community;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby adopts the Access to Affordable Recreation Policy, attached hereto. **CARRIED**

(e) **Treasury**

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

**Res. No. 10(e)(i)/29/06/2018 Carol Ballantyne, 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 #27881 to #27941 in the total amount of \$132,104.61. **CARRIED**

**(f) Fire and Emergency Services**

- (i) **Report re:** Acting Fire Chief, Fire Department Report for regular Council meeting on June 29<sup>th</sup>, 2018. – **Report only**
- (ii) **Report and Resolution re:** SUV/Pickup

**Res. No. 10(f)(ii)/29/06/2018 Carol Ballantyne, Ron Patton**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports the purchase of an SUV/Pickup for the Fire Department, in accordance with the report from Acting Chief Paul Schaefer, dated June 26<sup>th</sup>, 2018 and attached hereto. **CARRIED**

**(g) Transfer Station Report - Nil**

**(h) Council Presentations**

- (i) **Councillor Ballantyne re:** Joint Economic Development Committee  
Councillor Ballantyne provided an update with regard to the Regional Economic Development Plan consultation process.
- (ii) **Mayor Thrale re:** By-law Enforcement Discussion  
Discussion of Council resulted in the following Resolution.

**Res. No. 10(h)(ii)/29/06/2018 Paul Ziraldo, Yvonne Wills**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney shall remove the requirement for By-law infractions to be complaint driven only.

**Recorded Vote requested by Mayor Thrale**

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

**CARRIED**

**11. Correspondence**

**(a) Action Items**

- (i) **Burk's Falls and District Food Bank re:** Request for financial contribution

**Res. No. 11(a)(i)/29/06/2018 Carol Ballantyne, Ron Patton**

**BE IT RESOLVED THAT** in accordance with the request from the Burk's Falls District Food Bank, the Council of the Corporation of the Town of Kearney authorizes a contribution of \$400.00 one-time payment. **CARRIED**

- (ii) **Krista Hampel, Primary Care Paramedic re:** Parry Sound District Community Paramedicine Program

**Res. No. 11(a)(ii)/29/06/2018 Ron Patton, Carol Ballantyne**

**WHEREAS** Krista hampel, Primary Care Paramedic with the Parry Sound District Community Paramedicine Program has contacted the Town to request authorization to host a "Wellness Clinic" once a month;

**AND WHEREAS** this Clinic would be open to the public and would allow individuals to stop in and have their vital signs taken, including receiving booklets with a record of their results documented for their personal use;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Town of Kearney will provide space at the Kearney Community Centre, at no cost, in order to support the provision of this Wellness Clinic program. **CARRIED**

**(b) Information Items - Nil**

**12. Other Business – Nil**

**13. Closed Session**

**Res. No. 13(a)/29/06/2018 Liz Stermsek, Ron Patton**

**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 8:05 p.m. for discussion regarding:

- (a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose. **CARRIED**

**Res. No. 13(b)/29/06/2018 Paul Ziraldo, Yvonne Wills**

**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 8:40 p.m. **CARRIED**

**14. Business Arising from Closed Session**

Mayor Thrale reported on matters discussed in Closed Session.

- 15. Confirming By-Law No. 2018-xx** being a By-law to confirm the proceedings of Council at its Special Meeting held on June 14<sup>th</sup>, 2018, at its Special Meeting held on June 29<sup>th</sup>, 2018 and at its Regular Meeting held on June 29<sup>th</sup>, 2018.

**Res. No. 15/29/06/2018 Paul Ziraldo, Yvonne Wills**

**By-law No. 2018-33**, Being a By-law to confirm the proceedings of Council at its Special Meeting held on June 14<sup>th</sup>, 2018, at its Special Meeting held on June 29<sup>th</sup>, 2018 and at its Regular meeting held on June 29<sup>th</sup>, 2018 be read a first, second and third time and numbered 2018-33 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. 16/29/06/2018 Ron Patton, Carol Ballantyne**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 8:45 p.m. to meet again at 6:00 p.m. on July 20, 2018 in the Council Chambers, Kearney, Ontario. **CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Lance Thrale, Mayor



Brenda J. Fraser, Clerk Administrator