

# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, February 15<sup>th</sup>, 2019

1:00 p.m.

**Council Members Present:** Mayor Carol Ballantyne  
Councillors: Cheryl Philip, Mike Rickward and Paul Ziraldo

**Staff Present:** Brenda J. Fraser, Chief Administrative Officer/Clerk/Treasurer  
Keven Beaucage, Deputy Clerk Deputy Treasurer  
Brian Horsman, Chief Building Official  
Linda Moyer, Planning Technician

**Regrets:** Councillor Liz Stermsek

1. **Call the Meeting to Order**

**Res. No. 1/15/02/2019 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on February 15<sup>th</sup>, 2019 be declared open and called to order at 1:00 p.m. **CARRIED**

*Moment of silence to recognize the memory of Mark Aitchison, to recognize the memory of Ronald Mulligan and to recognize the memory of Nancy Reid.*

2. **Approval of Agenda**

**Res. No. 2/15/02/2019 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on February 15<sup>th</sup>, 2019 be adopted as circulated. **CARRIED**

3. **Declaration of Pecuniary Interest and the General Nature Thereof** – none noted

4. **Delegations/Presentations**

(a) **Delegations**

(i) **Angela Benoliel and Kathy Roi re: Fitness classes for 2019 and into the future**  
Ms. Benoliel and Ms. Roi provided a brief analysis of the attendance at the free fitness classes and advocated for the continuation of these classes at an affordable rate.

(ii) **Brian Pearce re: Road Allowance Purchase**  
Following a synopsis of the steps taken to date with regard to his request to purchase the road allowance adjacent to his property, Mr. Pearce proposed that the Town 'gift' the land to him, as his total costs would be approximately \$6,000.00.

(b) **Presentations** – Nil

5. **Minutes**

(a) **Adoption of Minutes**

(i) **Regular Meeting, Draft Minutes – January 25, 2019**

**Res. No. 5(a)(i)/15/02/2019 Cheryl Philip, Mike Rickward**

**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 – January 25, 2019** **CARRIED**

(b) **Receive Committee Minutes**

(i) **Kearney Community Centre Committee, Minutes – January 14, 2019**

(ii) **Kearney Dog Sled Races Advisory Committee, Minutes – January 17, 2019;  
January 24, 2019**

**Res. No. 5(b)(i)-(ii)/15/02/2019 Cheryl Philip, Mike Rickward**

**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 – January 14, 2019
- (ii) **Kearney Dog Sled Races Advisory Committee**, Minutes – January 17, 2019;  
January 24, 2019 **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-07-18 (HEISE)

**Res. No. 7(a)/15/02/2019 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves application RZ-07-18 (HEISE) to rezone Part of Lot 18, Concession 3 (Blueberry Island) in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Rural (RU) Zone to the Residential Waterfront Exception Fifty-one (RWF-51) Zone to permit a travel trailer/camper to be located on the island at a reduced front yard setback of 12 metres (39.37 ft.);

**AND FURTHER** the travel trailer/camper shall comply with the provisions of the By-law to provide for the licensing and regulation of camper/trailers. **DEFERRED**

- (b) **By-law No. 2018-xx re:** To amend Zoning By-law No. 2002-28, as amended RZ-07-2018 (HEISE)

**Res. No. 7(b)/15/02/2019 Mike Rickward, Paul Ziraldo**

**By-law No. 2019-08** being a By-law to amend Zoning By-law No. 2002-28, as amended, be read a first, second and third time and numbered 2019-08 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.

**DEFERRED**

**8. Public Meetings (Pursuant to the *Municipal Act*) - Nil**

**9. Unfinished Business - Nil**

**10. Reports and By-laws**

(a) **Building**

- (i) **BY-LAW No. 2019-09 re:** Appoint Deputy Chief Building Official

**Res. No. 10(a)(i)/15/02/2019 Paul Ziraldo, Mike Rickward**

Being a By-law to appoint a Deputy Chief Building Official for Enforcing the Building Code Act within the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2019-09 and that the said Bylaw be signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be engrossed in the By-law Book. **CARRIED**

- (ii) **Report and Resolution re:** Additional resources to implement New Policy for Dormant and Incomplete Building Permit Files

**Res. No. 10(a)(ii)/15/02/2019 Mike Rickward, Cheryl Philip**

**WHEREAS** Council has received a report from our Chief Building Official with regard to additional resources to implement a new Policy for Dormant and Incomplete Building Permit Files (the Report);

**AND WHEREAS** a Shared Service Agreement exists between the Town of Kearney and the Municipality of Magnetawan;

**AND WHEREAS** the Report offers a number of options for consideration which may involve both municipalities;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney authorizes Mayor Ballantyne, Clerk Fraser and CBO Horsman to meet with representatives of Magnetawan, to discuss the options presented and next steps. **CARRIED**

(b) **Planning**

- (i) **Report and Resolution re:** Release of One Foot (0.3 m) Reserve (DYKE)

**Res. No. 10(b)(i)/15/02/2019 Mike Rickward, Paul Ziraldo**

**WHEREAS** on January 25, 2019, Council passed a Resolution approving in principle, the release of a portion of the one-foot reserve being Parts 4 & 5, 42R-21072, in front of lands owned by Terrance Dyke and Cliffe Dyke;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves the release of a portion of the one foot reserve being Parts 4 & 5, Plan 42R-21072 to be dedicated as part of Grass Lake Road. **CARRIED**

(ii) **By-law No. 2019-xx re:** Release of One Foot (0.3 m) Reserve (DYKE)

**Res. No. 10(a)(i)/15/02/2019 Paul Ziraldo, Mike Rickward**

Being a By-law to life part of the one-foot reserve located in part of Lot 15, Concession 10, in the geographic Township of Proudfoot, now in the Town of Kearney, District of Parry Sound,

described as Parts 4 & 5, Plan 42R-21072 and dedicate the lands as public highway, be read a first, second and third time and numbered 2019-10 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.

(iii) **Report and Resolution re:** Notice Requirements for Road Closing(s)

**Res. No. 10(b)(iii)/15/02/2019 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney amends the requirements of By-law No. 2007-61 with regard to the Stopping Up, Closure and/or Sale of Highways, specifically by eliminating the requirement that notice be published in the local newspaper and further, by reducing the requirement for posting notice to four weeks in two of the most public places in the immediate neighbourhood of the subject highway. Notice shall continue to be circulated to abutting land owners and applicable agencies and posted at the Kearney Community Centre and/or on the Town's website. **CARRIED**

(iv) **Resolution re:** Acknowledge receipt of EIS – Edgewater Park Lodge Zoning

**Res. No. 10(b)(iv)/15/02/2019 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney has received the Scope Environmental Impact Study Report – Edgewater Park Lodge Property dated September 2018, prepared by Al Shaw, M.S.c., Senior Ecologist/Principal, Riverstone Environmental Solutions Inc. **CARRIED**

**(c) Operations**

(i) **Resolution re:** Waste Disposal Site Monitoring

**Res. No. 10(c)(i)/15/02/2019 Cheryl Philip, Mike Rickward**

**WHEREAS** the Kearney Waste Disposal Site Monitoring Contract ran from 2016 – 2018 and requires reporting every two years;

**AND WHEREAS** Kearney received a report that covered 2016 and 2017;

**AND WHEREAS** our current Contract with D.M. Wills Associates Ltd. ends in the middle of the 2018-2019 reporting period;

**AND WHEREAS** D.M. Wills has offered to extend the Contract for the 2019 monitoring and reporting program;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney agrees to extend our current contract for 2019 Waste Disposal Site Monitoring and Reporting, with D.M. Wills for the fee of \$7,250.00 + HST, which includes disbursements such as mileage and equipment. **CARRIED**

**(d) Administration**

(i) **Discussion re:** Submissions to proposed changes to the current Procedural By-law

Council noted the written submission received from Jen Dewar, Sand Lake Area Property Owners Association.

(ii) **By-law No. 2019-xx re:** Procedural By-law

**Res. No. 10(d)(ii)/15/02/2019 Paul Ziraldo, Mike Rickward**

**By-law No. 2019-11** 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 2019-11 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) **Resolution re:** Support for Wild Connections Interactive Education for Conservation Center

**Res. No. 10(d)(iii)/15/02/2019 Mike Rickward, Paul Ziraldo**

**WHEREAS** Council has received a presentation from Ruth LaBarge - Wild Connections Interactive Education for Conservation Centre with regard to the development of an 'Education for Conservation Animal Center' to be located in Kearney;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports in principle, the establishment of this Center, subject to all applicable law. **CARRIED**

(iv) **Report and Resolution re:** Ontario Sports & Recreation Communities Fund

**Res. No. 10(d)(iv)/15/02/2019 Cheryl Philip, Mike Rickward**

**WHEREAS** our Ontario Sports & Recreation Communities Funding will end on March 31, 2019 impacting the continued provision of our 'free fitness classes';

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney shall continue fitness classes for the month of April 2019, at a cost of \$5.00 per class or 10 classes for \$45.00, with reassessment following Budget discussions;

**AND FURTHER** Staff to make application to the ParticipAction Community Better Challenge.

**CARRIED**

- (v) **Resolution re:** Appointment to Board of Management, Eastholme, Home for the Aged

**Res. No. 10(d)(v)/15/02/2019 Paul Ziraldo, Mike Rickward**

**WHEREAS** the Town of Kearney and the Townships of Armour, Perry and Ryerson jointly appoint one member to represent Area 4 on the Board of Management of Eastholme, for the District of Parry Sound East;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby supports George Sterling as the Area 4 Representative on this Board. **CARRIED**

(e) **Treasury**

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

**Res. No. 10(e)(i)/15/02/2019 Cheryl Philip, Mike Rickward**

**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 #28533 to #28589 in the total amount of \$242,584.08. **CARRIED**

- (ii) **Resolution re:** Placement of Funds received by means of Shore Road Allowance sales

**Res. No. 10(e)(ii)/15/02/2019 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney authorizes the placement of all funds received by way of Shore Road Allowance sales, to be held in a Recreation and Cultural Services fund. **CARRIED**

- (iii) **Report and Resolution re:** Acknowledge notification of total Council Honouraria and Expenses paid in 2018

**Res. No. 10(e)(ii)/15/02/2019 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney has received the annual report for the 2018 Council Honouraria and Expenses, attached hereto. **CARRIED**

(f) **Fire and Emergency Services**

- (i) **Report re:** Acting Fire Chief, Fire Department Report for regular Council meeting on January 25, 2019. – **Report only.**
- (ii) **Report and Resolution re:** Accept new firefighter

**Res. No. 10(f)(ii)/15/02/2019 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Michelle Abad 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** - Nil

(h) **Council Presentations** - Nil

**11. Correspondence**

(a) **Action Items** – Nil

(b) **Information Items**

- (i) **Employment North re:** Building Business Across Ontario's North **Information only.**
- (ii) **District of Parry Sound Social Services Administration Board re:** Notification of Total Honorariums and Expenses received by Board Members **Information only.**

**12. Other Business**

(a) **Local Area Committees**

- (i) Almaguin Highlands Health Centre, Meeting Minutes – January 11, 2019 – **Minutes only.**

**13. Closed Session**

**Res. No. 13(a)/15/02/2019 Paul Ziraldo, 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 3:05 p.m. for discussion regarding:

- (a) Personal matters about an identifiable individual, including municipal or local board employees **CARRIED**

**Res. No. 13(b)/15/02/2019 Cheryl Philip, Mike Rickward**

**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 3:19 p.m. **CARRIED**

Mayor Ballantyne reported on matters discussed in Closed Session.

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

**15. Confirming By-Law No. 2019-xx** being a By-law to confirm the proceedings of Council at its Regular Meeting held on February 15<sup>th</sup>, 2019.

**Res. No. 15/15/02/2019 Mike Rickward, Paul Ziraldo**

**By-law No. 2019-12**, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on February 15<sup>th</sup>, 2019 be read a first, second and third time and numbered 2019-12 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**

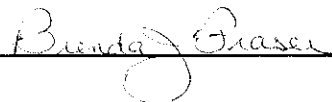
**Res. No. 16/15/02/2019 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 3:22 p.m. to meet again at 9:00 a.m. on March 8<sup>th</sup>, 2019 in the Council Chambers, Kearney, Ontario. **CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk