

The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, June 21st, 2019

1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Mike Rickward; Liz Stermsek; and Paul Ziraldo

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

Regrets: Councillor Cheryl Philip

1. **Call the Meeting to Order**

Res. No. 1/21/06/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on June 21st, 2019 be declared open and called to order at 1:00 p.m. **CARRIED**

2. **Approval of Agenda**

Res. No. 2/21/06/2019 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on May 31st, 2019 be adopted as circulated. **CARRIED**

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

Councillor Mike Rickward declared a pecuniary interest with regard to Cheque # 28913 and #28936, the reason being: Immediate family business.

4. **Delegations/Presentations**

(a) **Delegations**

- (i) **Dennis Hons re:** Objection to Application RZ-07-18 (HEISE – BLUEBERRY ISLAND).

Mr. Hons, on behalf of the Sand Lake Area Property Owners Association, spoke to their objection to Zoning By-law Amendment Application RZ-07-18.

- (ii) **Rome Haloftis re:** Motorcycle Event

Mr. Haloftis requested permission to close a portion of Pine Drive on Saturday, August 3, 2019, to hold the 2nd Annual 'Sprint Enduro', motorcycle event.

Res. No. 4(a)(ii)/21/06/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the Off-Road Motorcycle Event as proposed by Rome Haloftis, for Saturday, August 3, 2019, from 10:00 a.m. to 4 p.m., subject to the following:

- 1) Trained Flagmen are to be used. Proof of training to be provided to the Town Office prior to the Event;
- 2) All 'Bikes' to have installed 'Spark Arresters' in working order;
- 3) Cones to be placed on the Town Roads, along the route;
- 4) Signage to be erected at the gate stating "PUSH BIKE PAST RESIDENCE";
- 5) Bikes to be WALKED past the Russell Residence, subject to confirmation by the Russells. **DEFERRED**

(b) **Presentations – Nil**

5. **Minutes**

(a) **Adoption of Minutes**

- (i) **Special Meeting, Draft Minutes – May 31, 2019**
- (ii) **Regular Meeting, Draft Minutes – May 31, 2019**

Res. No. 5(a)(i)-(ii)/21/06/2019 Paul Ziraldo, 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) **Special Meeting**, Draft Minutes – May 31, 2019
- (ii) **Regular Meeting**, Draft Minutes – May 31, 2019 **CARRIED**

(b) Receive Committee Minutes

- (i) Joint Waste Management Committee, Minutes: May 22, 2019
- (ii) Kearney Community Centre Committee, Minutes – May 13, 2019
- (iii) Almaguin Highlands Health Centre Committee, Minutes: June 7, 2019

Res. No. 5(b)(i)-(iii)/21/06/2019 Liz Stermsek, Mike Rickward

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**, Minutes - May 22, 2019
- (ii) **Kearney Community Centre Committee**, Minutes – May 13, 2019
- (iii) **Almaguin Highlands Health Centre Committee**, Minutes - June 7, 2019 **CARRIED**

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

7. **Public Hearings (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 - Nil

(b) Planning

Resolution re: Proposed Minutes of Settlement – By-law No. 2017-27 (EDGEWATER PARK LODGE INC.)

Res. No. 10(b)(i)/21/06/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the changes to By-law No. 2017-27 as detailed in the Minutes of Settlement attached hereto.

CARRIED

(c) Operations

(i) **Resolution re:** Gravel Tender

Res. No. 10(c)(i)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Town of Kearney sought Tenders for the Crushing and Application of “A” Gravel; **AND WHEREAS** one (1) quote was received, from Whitmell Sand and Gravel Ltd.;

AND WHEREAS Staff have reviewed the quotation;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney does hereby award the Tender for Crushing & Application of “A” Gravel to Whitmell Sand and Gravel Ltd. in the total amount of \$52,737.10.

CARRIED

(ii) **Resolution re:** Tandem Snow Plow Truck Tender

Res. No. 10(c)(ii)/21/06/2019 Mike Rickward, Liz Stermsek

WHEREAS the Corporation of the Town of Kearney requested tenders for the provision of a Tandem Snow Plow Truck with All Season Combination Dump Body / Spreader;

AND WHEREAS one tender was received from bidding companies for the provision of this equipment, as follows:

1. Freightliner North Bay at a cost of \$287,686.76 (taxes included)

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby awards the 2019 Tandem Snow Plow Truck Combination Tender to Freightliner North Bay for the purchase and delivery of a 2020 Freightliner 114SD at the tendered cost of \$287,686.76.

CARRIED

(d) Administration

(i) **Resolution re:** Woman’s Own Resource Centre – request for Financial Support

Res. No. 10(d)(i)/21/06/2019 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from Women’s Own Resource Centre, shall donate \$200.00 to support new and continuing initiatives in 2019/20.

CARRIED

(ii) **Report and Resolution re:** MSAA – Seniors Community Grant Program 2019/2020

Res. No. 10(d)(ii)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Ontario Sport and Recreation Communities Fund (OSRCF) funding ended on

March 31, 2019;

AND WHEREAS the Ministry for Seniors and Accessibility – Seniors Community Grant Program 2019-2020 could provide six (6) months of funding to allow for free fitness classes to occur;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to submit grant application for free fitness classes. **CARRIED**

(iii) **By-law No. 2019-xx re: Appeal By-law No. 2003-39**

Res. No. 10(d)(iii)/21/06/2019 Liz Stermsek, Paul Ziraldo

By-law No. 2019-29, Being a By-law to Repeal By-law No. 2003-39 and to Repeal By-law No. 2003-40, be read a first, second and third time and numbered 2019-29 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) **Resolution re: To appoint members to the Christmas Begins in Kearney Advisory Committee**

Res. No. 10(d)(iv)/21/06/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby appoints Carol Ballantyne, Blair Ballantyne, Dan Desbiens, Deb Desbiens, Amanda White Baker, Karen Lizotte, Heidi Freistatter and Matt Heavens as members for the Christmas Begins in Kearney Advisory Committee. **CARRIED**

(v) **Resolution re: Successful applicants for Summer Student positions**

Res. No. 10(d)(v)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Town of Kearney has advertised for students to fill various summer employment positions;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the hiring of the following students for the summer of 2019:

Joseph Hunt as Parks and Maintenance Student Position

Devon Ward as Parks and Maintenance Student Position

Nathan Sheldon as Transfer Stations Assistant **CARRIED**

(vi) **Report and Resolution re: Almaguin News Subscriptions**

Res. No. 10(d)(vi)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Mayor and Council members have expressed an interest in receiving Almaguin News subscriptions for both the Town Office and each Council Member;

AND WHEREAS the Almaguin News Staff have determined a rate for the Town for 2019;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to _____ **DEFERRED**

(e) **Treasury**

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

Res. No. 10(e)(i)/21/06/2019 Liz Stermsek, Paul Ziraldo

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 #28889 to #28962 in the total amount of \$237,616.54. **CARRIED**

(ii) **Resolution re: Authorization to publish 2019 Consolidated Financial Statement**

Res. No. 10(e)(ii)/21/06/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the 2018 Consolidated Financial Statements and authorizes the publication thereof. **CARRIED**

(iii) **By-law No. 2019-xx re: 2019 Tax Rates**

Res. No. 10(e)(iii)/21/06/2019 Mike Rickward, Liz Stermsek

By-law No. 2019-30, Being a By-law to Set the 2019 Tax Ratios and 2019 Tax Rates and to further provide for Tax Collection and Penalty and Interest in Default of Payment thereof, be read a first, second and third time and numbered 2019-30 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**

(iv) **Report and Resolution re: Sucker Creek Bridge Budget allocation**

Res. No. 10(e)(iv)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS THE Town of Kearney has applied to the Investing in Canada Infrastructure Program: Rural and Northern Stream for the replacement of the Sucker Creek Bridge;

AND WHEREAS the resulting delay in the project expenditures will result in a large under-expenditure of the 2019 Budget;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall transfer that portion of the unexpended bridge costs funded by general taxation revenue

to the bridges and culverts reserve in 2019, to be used to offset 2020 bridge construction costs as deemed necessary, as a result of the grant application outcome. **CARRIED**

(f) Fire and Emergency Services

- (i) **Report re:** Acting Fire Chief, Fire Department Report for regular Council meeting on June 21, 2019. – **Report only.**

(g) Transfer Station

- (i) **Report re:** May/June 2019 – **Report only.**
(ii) **Report and Resolution re:** Transfer Station Attendant mileage

Res. No. 10(g)(iii)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Corporation of the Town of Kearney Expense Reimbursement Policy states that mileage expenses be reimbursed at the rate of \$0.54 per kilometer;

AND WHEREAS the Transfer Station Attendant uses his own vehicle to drive from the King William Transfer Site to the Kallio Transfer Site to provide a service to the public at a second site;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that Transfer Station Attendant Martin Filmore be paid mileage expenses for the use of his own vehicle from January 20, 2019 to June 22, 2019 in the amount of \$620.48;

AND FURTHER that the Town continue to pay this expense on a monthly basis as per the Kearney Expense Reimbursement Policy. **DEFERRED**

(h) Council Presentations

- (i) **Mayor Ballantyne re:** Zoning By-law Amendment Application (HEISE)

Mayor Ballantyne provided a statement regarding the status of the HEISE Zoning By-law Amendment application including affirmation that residents can request amendments to their zoning and that each request is considered individually.

11. Correspondence

(a) Action Items

- (i) **Town of Georgina re:** Request for support of Resolution – Reducing Litter and Waste

Res. No. 11(a)(i)/21/06/2019 Paul Ziraldo, Liz Stermsek

WHEREAS the Province of Ontario, through the Ministry of the Environment, has posted a discussion paper entitled 'Reducing Litter and Waste in our Communities';

AND WHEREAS producer responsibility has not been adequately addressed by the Province of Ontario and its time has come;

AND WHEREAS a successful deposit/return program for single use plastic, aluminum and metal drink containers has been in existence in other Provinces in Canada including Newfoundland, Nova Scotia and British Columbia;

AND WHEREAS these successful programs have eliminated many of these containers from the natural environment;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney call upon the Province of Ontario through the discussion paper 'Reducing Litter and Waste in our Communities' to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers;

AND FURTHER BE IT RESOLVED that the Province of Ontario review current producer requirements and look for extended producer responsibility for all packaging;

AND FURTHER that a copy of this Resolution be sent to the Minister of the Environment, the Premier, the Minister of Municipal Affairs; and, the Association of Municipalities of Ontario. **CARRIED**

- (ii) **Township of Armour re:** Request for support of Resolution – Bill 115 (Sale of beer and wine in corner stores)

Res. No. 11(a)(ii)/21/06/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Province of Ontario is considering approving Bill 115, which would allow beer and wine sale in corner stores;

AND WHEREAS corner stores will not verify age and be as safe as the present system in place;
AND WHEREAS alcohol retail outlet density has a negative effect on public health and public health costs;

AND WHEREAS there is no clear evidence that Ontarians are asking for beer and wine at every corner;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney opposes Bill 115 and calls upon the Government of Ontario not to enact this legislation;

AND FURTHER BE IT RESOLVED that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and

Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Norm Miller, MPP Parry Sound-Muskoka and Andrea Horwath, MPP, Leader of the New Democratic Party;

AND FURTHER that a copy of this Resolution be sent to the Association of Municipalities of Ontario.

DEFEATED

(b) Information Items

- (i) **Fitness Group re: Card of Thanks**

12. Other Business

Res. No. 12(a)/21/06/2019 Liz Stermsek, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney deems it necessary to appoint Mr. Alan P. Wells as Clerk for the Closed Session portion of the June 21st, 2019 Regular Council Meeting. **CARRIED**

13. Closed Session

Council will enter into a Closed Session for discussion regarding:

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board
(b) Labour relations or employee negotiations

Res. No. 13(a)-(b)/21/06/2019 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 2:07 p.m. for discussion regarding:

- (a) Labour relations or employee negotiations (x 3)
(b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose. **CARRIED**

Res. No. 13(c)/21/06/2019 Paul Ziraldo, 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 4:40 p.m. **CARRIED**

Mayor Ballantyne reported on matters discussed in Closed Session.

14. Business Arising from Closed Session

Res. No. 14(a)/21/06/2019 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the purchase of a Gift Card from Canadian Tire in the amount of Two Hundred Dollars \$200.00 to be given to Alan Wells as a token of appreciation for services as Acting Clerk. **CARRIED**

15. Confirming By-Law

By-Law 2019-xx being a By-law to confirm the proceedings of Council at its Special Meeting June 21st, 2019 and at its Regular Meeting held on June 21st, 2019.

Res. No. 15/21/06/2019 Paul Ziraldo, Mike Rickward

By-law No. 2019-31, Being a By-law to confirm the proceedings of Council at its Special Meeting held on June 21st, 2019 and at its Regular Meeting held on June 21st, 2019 be read a first, second and third time and numbered 2019-31 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

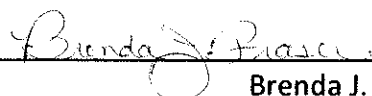
Res. No. 16/21/06/2019 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 4:50 p.m. to meet again at 9:00 a.m. on July 5th, 2019 in the Council Chambers, Kearney, Ontario. **CARRIED**

THE CORPORATION OF THE
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk