



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, August 23<sup>rd</sup>, 2019

1:00 p.m.

**Council Members Present:** Mayor Carol Ballantyne  
Councillors: Cheryl Philip; Liz Stermsek; and Paul Ziraldo

**Staff Present:** Brenda J. Fraser, CAO|Clerk|Treasurer  
Keven Beaucage, Deputy Clerk Deputy Treasurer  
Linda Moyer, Planning Technician

**Regrets:** Councillor Mike Rickward

1. **Call the Meeting to Order**

**Res. No. 1/23/08/2019 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on August 23<sup>rd</sup>, 2019 be declared open and called to order at 1:00 p.m. **CARRIED**

2. **Approval of Agenda**

**Res. No. 2/23/08/2019 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on August 2<sup>nd</sup>, 2019 be adopted as amended.

**ADD 10(b)(iii) By-law No. 2019-xx to enter into an encroachment agreement  
(LOPPACHER) **CARRIED****

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

4. **Delegations/Presentations**

(a) **Delegations - Nil**

(b) **Presentations**

(i) **Mayor Ballantyne re:** To honour Marilyn MacKay's 85<sup>th</sup> Birthday  
In honour of Marilyn's 85<sup>th</sup> Birthday, Mayor Ballantyne, on behalf of the Town,  
presented her with a bouquet of flowers.

5. **Minutes**

(a) **Adoption of Minutes**

(i) **Regular Meeting, Draft Minutes – June 21, 2019**

**Res. No. 5(a)(i)/23/08/2019 Cheryl Philip, 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) **Regular Meeting, Draft Minutes – August 2, 2019 **CARRIED****

(b) **Receive Committee Minutes**

(i) **Kearney Community Centre Committee: Draft Minutes - August 7, 2019**

**Res. No. 5(b)(i)/23/08/2019 Paul Ziraldo, Liz Stermsek**

**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, Draft Minutes – August 7, 2019 **CARRIED****

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

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 - Nil**

**(b) Planning**

**(i) Report and Resolution re: Purchase of Shore Road Allowance (GASKELL)**

**Res. No. 10(b)(i)/23/08/2019 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports in principle, the proposed lot line extensions for the purchase of the shore road allowances in front of Lots 14, 15, 16 & 17, Plan M-89, Township of Proudfoot. (GASKELL) **CARRIED**

**(ii) Report and Resolution re: Encroachment Agreement (LOPPACHER)**

**Res. No. 10(b)(ii)/23/08/2019 Cheryl Philip, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves the Encroachment Agreement between the Corporation of the Town of Kearney and Susan Loppacher for the construction and encroachments of a deck, stairs and dock on the Original Shore Road Allowance in front of Concession 6, Part Lot 8, Plan M-87, Lot 19, Pcl. 19249 in the Geographic Township of Bethune. **CARRIED**

**(iii) By-law No. 2019-xx re: To authorize the signing of an Encroachment Agreement between the Corporation of the Town of Kearney and Susan Loppacher**

**Res. No. 10(b)(iii)/23/08/2019 Paul Ziraldo, Cheryl Philip**

**By-law No. 2019-41**, Being a By-law to authorize the signing of an Encroachment Agreement between the Corporation of the Town of Kearney and Susan Loppacher, be read a first, second and third time and numbered 2019-41 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**

**(c) Operations**

**(i) Report and Resolution re: Sucker Creek Bridge**

**Res. No. 10(c)(i)/23/08/2019 Cheryl Philip, Paul Ziraldo**

**WHEREAS** the Council of the Corporation of the Town of Kearney was unsuccessful in securing funding for the replacement of Sucker Creek Bridge;

**AND WHEREAS** monies have been included in the 2019 Capital Budget to be used for Sucker Creek Bridge;

**AND WHEREAS** the total amount budgeted is not sufficient to complete the replacement of the Sucker Creek Bridge but should cover the replacement of the Cashman Creek Bridge;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney authorizes Staff to proceed with replacing the Cashman Creek Bridge;

**AND FURTHER** that the 2019 Budget be amended to reflect this change. **CARRIED**

**(d) Administration**

**(i) Information and By-law No. 2019-xx re: Nipissing-Parry Sound Student Transportation Services Transfer Location Agreement**

**Res. No. 10(d)(i)/23/08/2019 Cheryl Philip, Liz Stermsek**

**By-law No. 2019-39**, Being a By-law to authorize the execution of an Agreement between Nipissing-Parry Sound Student Transportation Services and the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2019-39 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. **DEFERRED**

**(ii) Report and Resolution re: Tower Offer**

**Res. No. 10(d)(ii)/23/08/2019 Paul Ziraldo, Liz Stermsek**

**WHEREAS** the Town of Kearney has considered the implication of upgrading Internet Access for the offices;

**AND WHEREAS** Spectrum Telecom has approached the Town with additional considerations which would allow Spectrum Telecom to increase their sales of internet access;

**AND WHEREAS** consideration of Openness and Transparency would best be met by allowing all telecommunication and internet providers equal opportunity to submit their proposals;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney direct staff to draft a Request for Proposal for service providers to address the needs of the Town administration and the citizens of Kearney with regard to Internet Access. **CARRIED**

**(iii) Resolution re: Fall District of Parry Sound Municipal Association Meeting**

**Res. No. 10(d)(iii)/23/08/2019 Cheryl Philip, Paul Ziraldo**

**WHEREAS** notification of the 2019 Annual Fall Meeting of the 'District of Parry Sound Municipal Association' has been received;

**AND WHEREAS** the Association Meeting will be hosted by Carling Township, on Friday,

September 27<sup>th</sup>, 2019;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports the attendance of the following members at the Association Meeting:  
Councillor Stermsek, Mayor Ballantyne and Brenda Fraser. **CARRIED**

(iv) **Discussion and Resolution re:** Request to revisit 35 Clam Lake Road matter

**Res. No. 10(d)(iiV)/23/08/2019 Cheryl Philip, Paul Ziraldo**

**WHEREAS** the Council of the Corporation of the Town of Kearney determined that no further action would be taken regarding the removal of trees from the Town Road Allowance across from 35 Clam Lake Road;

**AND WHEREAS** a request has been received to re-open the investigation;

**AND WHEREAS** two-thirds of Council are required to vote in favour of reconsidering a decision made by Council;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the By-law to Govern the Calling, Place and Proceedings of Meetings of Council and Committees shall reconsider this matter at the Regular Council meeting on September 13, 2019.

**Recorded Vote** requested by Councillor Stermsek

**PHILIP, Cheryl** Yes

**RICKWARD, Mike** Absent

**STERMSEK, Liz** No

**ZIRALDO, Paul** No

**BALLANTYNE, Carol** No

**DEFEATED**

(e) **Treasury**

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

**Res. No. 10(e)(i)/23/08/2019 Cheryl Philip, 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 #29078 to #29087 in the total amount of \$15,837.47. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re:** Fire Chief, Fire Department Report for regular Council meeting on August 23, 2019. – **Report only.**

(g) **Transfer Station**

(i) **Report re:** June/July 2019 – **Report only.**

(h) **Council Presentations**

(i) **Mayor Ballantyne re:** Christmas Festival

Mayor Ballantyne noted that the 'Christmas Begins in Kearney' Festival is the only Town festival that is funded by the Town. Council supported contacting other function organizers to possibly combine events for economies of scale.

(ii) **Councillor Philip re:** Insurance for Seasonal Residences

Councillor Philip expressed concern that seasonal residents are not aware that provincial disaster funding is for permanent residences only and the importance of including information in this regard, in our next 'Information Notice' with the tax bills.

**11. Correspondence**

(a) **Action Items**

(i) **District of Parry Sound Social Services Administration Board re:** 10 Year Housing and Homelessness Plan Request for Municipal Engagement

**Res. No. 11(a)(i)/23/08/2019 Liz Stermsek, Paul Ziraldo**

**WHEREAS** the Council of the Corporation of the Town of Kearney has received a request from the District of Parry Sound Social Services Administration Board (DSSAB) with regard to updating their Housing and Homelessness Plan in order to plan for future affordable community housing in the District of Parry Sound;

**AND WHEREAS** the DSSAB is requesting the following information from the Town of Kearney;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney responds as follows:

1) Sites designated for affordable community housing include the following:

\_\_\_\_\_ ;

2) Plans for targeted new affordable community housing include:

\_\_\_\_\_ ;

3) Land(s) or building(s) that the municipality owns that Council would be willing to offer in partnership towards a new affordable community housing project include: \_\_\_\_\_ ;

4) Council does not have any By-laws at this time that would provide incentives toward any new housing developments other than, we do not currently have any development charges. **DEFERRED**

(ii) **Town OF Bradford West Gwillimbury re: Never Forgotten National Memorial Res. No. 11(a)(ii)/23/08/2019 Paul Ziraldo, Liz Stermsek**  
**WHEREAS** the residents of the Corporation of the Town of Kearney have a proud tradition of honouring those who made the supreme sacrifice on behalf of Canada in armed conflicts across the world;  
**AND WHEREAS** the Never Forgotten National Memorial Foundation has been established to develop commemorative programming, exhibits and monuments at a site on Cape Breton Island as a place of remembrance and thanks for those brave individuals who lost their lives so far from home;  
**AND WHEREAS** the Foundation is seeking the support of businesses, agencies, government organizations and individuals across Canada to bring life to this important national memorial;  
**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports efforts to develop the Never Forgotten National Memorial and so advises the Honorable Norm Miller, MPP and the Federation of Canadian Municipalities of Ontario.

**CARRIED**

(b) **Information Items – Nil**

12. **Other Business – Nil**

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 (x 2)

**Res. No. 13(a)/23/08/2019 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 1:45 p.m. for discussion regarding:

(a) A proposed or pending acquisition or disposition of land by the municipality or local board (x 2)

**CARRIED**

**Res. No. 13(b)/23/08/2019 Paul Ziraldo, Liz Stermsek**

**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 2:56 p.m.

**CARRIED**

14. **Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session.

15. **Confirming By-Law**

**By-Law 2019-xx** being a By-law to confirm the proceedings of Council at its Regular Meeting held on August 23<sup>rd</sup>, 2019.

**Res. No. 15/23/08/2019 Cheryl Philip, Liz Stermsek**

**By-law No. 2019-40**, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on August 23<sup>rd</sup>, 2019 be read a first, second and third time and numbered 2019-40 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. 16/23/08/2019 Paul Ziraldo, Liz Stermsek**

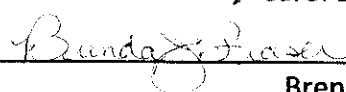
**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 2:58 p.m. to meet again at 10:00 a.m. on August 24<sup>th</sup>, 2019 in the Council Chambers, Kearney, Ontario.

**CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk