

# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, September 13<sup>th</sup>, 2019

1:00 p.m.

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

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

1. **Call the Meeting to Order**

**Res. No. 1/13/09/2019 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on September 13<sup>th</sup>, 2019 be declared open and called to order at 1:00 p.m. **CARRIED**

*Moment of Silence to honour the memory of Marjorie Brandt.*

2. **Approval of Agenda**

**Res. No. 2/13/09/2019 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on September 13<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) **Gabrielle Riepole and Adam Terenzio re:** Reimbursement  
Staff report requested.

(ii) **Jim Sutton re:** Purchase Property  
Deferred to October 4, 2019.

(b) **Presentations - Nil**

5. **Minutes**

(a) **Adoption of Minutes**

(i) **Regular Meeting, Draft Minutes – August 23, 2019**

(ii) **Special Meeting, Draft Minutes – August 24, 2019**

**Res. No. 5(a)(i)-(ii)/13/09/2019 Liz Stermsek, Paul Ziraldo**

**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 23, 2019**

(ii) **Special Meeting, Draft Minutes – August 24, 2019** **CARRIED**

(b) **Receive Committee Minutes**

(i) **Kearney Community Centre Committee: Draft Minutes – June 10, 2019**

**Res. No. 5(b)(i)/13/09/2019 Cheryl Philip, 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 – June 10, 2019** **CARRIED**

6. **Committee Resolutions for Consideration**

**Res. No. 6(a)/13/09/2019 Liz Stermsek, Mike Rickward**

**WHEREAS** the Kearney Community Centre Committee has discussed the purchase of a new stove in the KCC kitchen;

**AND WHEREAS** a motion was passed by the KCC Committee to forward a letter to Council proposing the purchase of a new stove;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports, in principle, the replacement of the propane stove for the Kearney Community Centre kitchen subject to receiving more information. **CARRIED**

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

(a) **Report and Resolution re:** Amendment to Zoning By-law No. 2002-28, as amended RZ-04-19 (WARRINER)

**Res. No. 7(a)/13/09/2019 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves application RZ-04-19 (WARRINER) to rezone Part of Lot 17, Concession 4, Lot 19, Plan 178, Part 6, 42R-8289, in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Residential Waterfront (RWF) Zone to the Residential Waterfront Exception Fifty-three (RWF-53) Zone to permit a reduced side yard setback of 2.5 metres.

**DEFEATED**

(b) **By-law No. 2019-xx re:** To amend Zoning By-law No. 2002-28, as amended, RZ-04-2019 (WARRINER) **WITHDRAWN**

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

9. **Unfinished Business** – Nil

10. **Reports and By-laws**

(a) **Building** - Nil

(b) **Planning**

(i) **Resolution re:** LPAT Appeal (HEISE)

**Res. No. 10(b)/13/09/2019 Liz Stermseck, Mike Rickward**

**WHEREAS** Council received an application 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 Zone to the Residential Waterfront Exception Fifty-one Zone to allow for a camper/trailer to be located on the property for recreational purposes and to permit a reduced front yard setback;

**AND WHEREAS** Council did not support the application;

**AND WHEREAS** the applicants, Caroline and Owen Heise, have appealed the decision of Council to the Local Planning Appeal Tribunal;

**AND WHEREAS** Council wishes to have Party Status in this appeal process;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney directs Staff to retain the services of Ed Veldboom and Chris Jones to defend the decision of Council. **CARRIED**

(c) **Operations**

(i) **Report and Resolution re:** Winter Sand Tender

**Res. No. 10(c)(i)/13/09/2019 Cheryl Philip, Liz Stermseck**

**WHEREAS** Tender 2019-04 for Winter Sand was requested, received and reviewed for the 2019-2020 season;

**AND WHEREAS** two (2) tenders were received, being A. Miron Topsoil at a total price of \$46,784 and Whitmell Sand and Gravel at a total price of \$50,432;

**NOW THEREFORE BE IT RESOLVED THAT** Council awards the tender to A. Miron Topsoil in the amount of \$46,784.00. **CARRIED**

(d) **Administration**

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

**Res. No. 10(d)(i)/13/09/2019 Liz Stermseck, Paul Ziraldo**

**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. **CARRIED**

(ii) **By-law No 2019-xx re:** Amending Agreement – New Municipal Hazardous or Special Wastes Services Agreement

**Res. No. 10(d)(ii)/13/09/2019 Cheryl Philip, Liz Stermseck**

**By-law No. 2019-43**, Being a By-law to authorize the execution of an Amending Agreement between Stewardship Ontario and the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2019-43 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**

**(e) Treasury**

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

**Res. No. 10(e)(i)/13/09/2019 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 #29088 to #29152 in the total amount of \$217,202.03.

**CARRIED**

**(f) Fire and Emergency Services**

- (i) Report re: Fire Chief, Fire Department Report for regular Council meeting on September 13, 2019. – Report only.**

- (ii) By-law No. 2019 – xx re: Training Partner Agreement with the Canadian Red Cross**

**Res. No. 10(f)(ii)/13/09/2019 Mike Rickward, Paul Ziraldo**

**By-law No. 2019-44**, Being a By-law to authorize the execution of an Agreement between the Canadian Red Cross Society and the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2019-44 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**

- (iii) Report and Resolution re: Purchase of new portable radios**

**Res. No. 10(f)(iii)/13/09/2019 Paul Ziraldo, Mike Rickward**

**WHEREAS** the National Fire Protection Association requires that all fire fighters carry a radio with a 'man down' feature which can be activated as required by the fire fighter;

**AND WHEREAS** the Fire Department has issued all available radios with this required feature;

**AND WHEREAS** the Fire Department has a new recruit, with the possibility of two additional new recruits in the near future;

**AND WHEREAS** the Fire Chief has received a quote from Spectrum Group Wireless Solutions for portable radios at a cost of \$1,360.00 plus tax, for each radio;

**AND WHEREAS** there is room in the Fire Department operating budget under the 2019 Fire Department Capital Budget;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney authorizes the purchase of three (3) XPR7550e Portable radios at a cost of \$4,080.00 plus HST.

**CARRIED**

**(g) Transfer Station**

- (i) Report re: July 19 – 23, 2019 – Report only.**  
**(ii) Report re: August / September, 2019 – Report only.**

**(h) Council Presentations**

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

**Res. No. 10(h)(i)/13/09/2019 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports holding a 2019 Christmas festival focused from the KCC and to include a fireworks display – cost \$4,500.00;

**AND FURTHER** Council to canvas businesses for contributions for this festival.

**CARRIED**

**11. Correspondence**

- (a) Action Items - Nil**  
**(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**  
**(b) Personal matters about an identifiable individual, including municipal or local board employees**

**Res. No. 13(a)-(b)/13/09/2019 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 1:46 p.m. for discussion regarding:

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board**  
**(b) Personal matters about an identifiable individual, including municipal or local board**

Employees.

**CARRIED**

**Res. No. 13(c)/13/09/2019 Mike Rickward, Paul Ziraldo**

**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 2:51 p.m.

**CARRIED**

**14. Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session.

**Res. No. 14/13/09/2019 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney directs Staff to purchase a camera to be installed on Town property to view Town property and the road at the Clam Lake Road allowance tree removal location;

**AND FURTHER** that Parks Staff shall revegetate this location with ten (10) to fifteen (15) seedlings.

**CARRIED**

**15. Confirming By-Law**

**By-Law 2019-xx** being a By-law to confirm the proceedings of Council at its Special Meeting held on August 24<sup>th</sup>, 2019 and at its Regular Meeting held on September 13<sup>th</sup>, 2019.

**Res. No. 15/13/09/2019 Paul Ziraldo, Mike Rickward**

**By-law No. 2019-45**, Being a By-law to confirm the proceedings of Council at its Special Meeting held on August 24<sup>th</sup>, 2019 and at its Regular Meeting held on September 13<sup>th</sup>, 2019 be read a first, second and third time and numbered 2019-45 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. 16/13/09/2019 Paul Ziraldo, Mike Rickward**

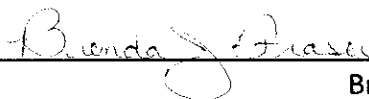
**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 2:55 p.m. to meet again at 1:00 p.m. on October 4<sup>th</sup>, 2019 in the Council Chambers, Kearney, Ontario.

**CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk