

The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, October 25th, 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

1. **Call the Meeting to Order**

Res. No. 1/25/10/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on October 25th, 2019 be declared open and called to order at 1:00 p.m. **CARRIED**

A moment of silence was held to honour the memory of Shirley Bell and to honour the memory of Ruth Cope-Healey.

2. **Approval of Agenda**

Res. No. 2/25/10/2019 Liz Stermsek, Cheryl Philip

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on October 25th, 2019 be adopted as circulated. **CARRIED**

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

Mayor Ballantyne declared a pecuniary interest with regard to Agenda item 10(d)(i) being a donation to the Lions Club to support the Children's Hallowe'en Party as she is a member of the Kearney Lions Club.

4. **Delegations/Presentations**

(a) **Delegations - Nil**

(b) **Presentations – Nil**

5. **Minutes**

(a) **Adoption of Minutes**

(i) **Regular Meeting, Draft Minutes – October 4, 2019**

Res. No. 5(a)(i)/25/10/2019 Liz Stermsek, Cheryl Philip

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 – October 4, 2019**

CARRIED

(b) **Receive Committee Minutes**

(i) **Dog Sled Races Advisory Committee: Minutes – September 12, 2019**

(ii) **Joint Occupational Health & Safety Committee, KFES: Draft Minutes – October 15, 2019**

(iii) **Kearney Community Centre Committee: Minutes – September 9, 2019**

Res. No. 5(b)(i)-(iii)/25/10/2019 Mike Rickward, Paul Ziraldo

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

(i) **Dog Sled Races Advisory Committee, Minutes -- September 12, 2019**

(ii) **Joint Occupational Health & Safety Committee of KFES: Draft Minutes – October 15, 2019**

(iii) **Kearney Community Centre Committee Minutes, September 9, 2019**

CARRIED

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

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

- (a) (i) **Report and Resolution re:** Amendment to Zoning By-law No. 2002-28, as amended RZ-05-19 (DYKE)

Res. No. 7(a)(i)/25/10/2019 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves application RZ-05-19 (DYKE) to rezone Part of Lot 17, Concession 9, Part 3, 42R-18843, in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Rural (RU) Zone to the Residential Waterfront Exception Fifty-four (RWF-54) Zone to establish a front yard setback of 20 m. (65.6 ft.) from the shoreline of Grass Lake for buildings and sewage disposal systems;

AND FURTHER the applicable application fee is required to be paid, in the amount of \$650.00.

Recorded Vote requested by Councillor Stermseck

PHILIP, Cheryl Yes

RICKWARD, Mike Yes

STERMSEK, Liz No

ZIRALDO, Paul Yes

BALLANTYNE, Carol Yes

CARRIED

- (ii) **Report and Resolution re:** Amendment to Zoning By-law No. 2002-28, as amended RZ-06-19 & RZ-07-19 (DYKE)

Res. No. 7(a)(ii)/25/10/2019 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves applications RZ-06-19 & RZ-07-19 (DYKE) to rezone Part of Lots 17 & 18, Concession 9, Parts 1 & 5, 42R-18843 and Parts 2 & 4, 42R-18843, in the Geographic Township of Proudfoot, now in the Town of Kearney, from the Rural (RU) Zone to the Residential Waterfront Exception Forty-four (RWF-44) Zone to establish a front yard setback of 20 m. (65.6 ft.) from the shoreline of Grass Lake for buildings; require that Parts 1 and 5 on Plan 42R-18843 be dealt with as one parcel of land for land use purposes; require that Parts 2 and 4 on Plan 42R-18843 be dealt with as one parcel of land for land use purposes; and require that the Sewage tile fields or any portion of the sewage system on the lands that discharges effluent into the environment shall be located not less than 300 metres from the shoreline of Grass Lake or as otherwise approved by the Province.

AND FURTHER the applicable application fee is required to be paid in the amount of \$650.00.

Recorded Vote requested by Councillor Stermseck

PHILIP, Cheryl Yes

RICKWARD, Mike Yes

STERMSEK, Liz Yes

ZIRALDO, Paul Yes

BALLANTYNE, Carol Yes

CARRIED

- (b) (i) **By-law No. 2019-xx re:** To amend Zoning By-law No. 2002-28, as amended, RZ-05-19 (DYKE)

Res. No. 7(b)(i)/25/10/2019 Mike Rickward, Liz Stermseck

By-law No. 2019-48, Being a By-law to amend Zoning By-law No. 2002-28, as amended, (DYKE), be read a first, second and third time and numbered 2019-48 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) **Bylaw No. 2019-xx re:** To amend Zoning By-law No. 2002-28, as amended, RZ-06-19 & RZ-07-19 (DYKE)

Res. No. 7(b)(ii)/25/10/2019 Mike Rickward, Liz Stermseck

By-law No. 2019-49, Being a By-law to amend Zoning By-law No. 2002-28, as amended, (DYKE 2), be read a first, second and third time and numbered 2019-49 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

Res. No. 7(c)/25/10/2019 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reaffirms that all Zoning By-law amendment applications submitted shall be accompanied by the applicable fee.

CARRIED

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: Consent Agreement (Carew/Francis)

Res. No. 10(b)(i)/25/10/2019 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby approves the consent agreement for application B-034/18 (CAREW) between the Corporation of the Town of Kearney and Stan Carew and Simon Francis. **CARRIED**

(ii) By-law No. 2019-xx re: Consent Agreement (Carew/Francis)

Res. No. 10(b)(ii)/25/10/2019 Mike Rickward, Liz Stermsek

By-law No. 2019-50, Being a By-law to authorize the signing of a Consent Agreement between Stan Carew, Simon Francis and the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2019-50 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: Amendment to By-law 2017-28 – Reduction of Speed on Chetwynd Road

Res. No. 10(c)(i)/25/10/2019 Cheryl Philip, Liz Stermsek

WHEREAS the Council of the Corporation of the Town of Kearney passed By-law 2017-28 to Regulate Traffic in the Town of Kearney, addressing speed limits on Town roads;

AND WHEREAS during the October 4, 2019 Council meeting, Council directed that staff reduce the speed limit on Chetwynd Road and to obtain an Engineer's Report regarding the reduction of speed limits;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney direct staff to amend By-law 2017-28 to include a reduction of speed on Chetwynd Road from 80 km per hour to 60 km per hour. **CARRIED**

(d) Administration

(i) Report and Resolution re: Seniors Community Grant Program

Res. No. 10(d)(i)/25/10/2019 Paul Ziraldo, Mike Rickward

WHEREAS the Ontario Government, through the Ministry of Seniors and Accessibility, offered the opportunity to apply for funding under the Seniors Community Grant Program;

AND WHEREAS the Corporation of the Town of Kearney applied and was awarded, funding to cover fitness class instruction costs for a six-month period;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney is pleased to announce that a 'Fitness For All' program, offering free fitness classes to participants, will run from November 1st, 2019 to April 1st, 2020. **CARRIED**

(ii) Resolution re: Donation to Lions Club to support Children's Hallowe'en Party

Res. No. 10(d)(ii)/25/10/2019 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes a donation to the Kearney Lions Club to support the annual community Children's Hallowe'en Party, in an amount not to exceed \$300.00;

AND FURTHER that receipts be submitted for reimbursement of costs. **CARRIED**

(iii) Resolution re: Royal Canadian Legion Remembrance Day Service purchase large wreath

Res. No. 10(d)(iii)/25/10/2019 Liz Stermsek, Cheryl Philip

WHEREAS the Council of the Corporation of the Town of Kearney has traditionally purchased a large wreath each year, from The Royal Canadian Legion, H. White Memorial (ONT No. 276) Branch, for a member of Council to lay at the Remembrance Day Service;

AND WHEREAS Council would like to continue to honor our War Veterans and Fallen Comrades in this manner;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the purchase of a large wreath, annually;

AND FURTHER, the Mayor or his designate will attend the local Remembrance Day Services at the Kearney Legion and at Evergreen Heights School, to lay the wreath. **CARRIED**

(iv) Discussion re: Changes to Procedural By-law

Council directed that notice be given to amend Section 9 of the Procedural By-law.

(e) Treasury

(i) Report and Resolution re: Payment Register

Res. No. 10(e)(i)/25/10/2019 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the

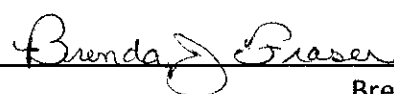
'List of Accounts' and has no objections to be noted with regard to Cheques #29234 to #29266 in the total amount of \$76,643.10. **CARRIED**

- (f) **Fire and Emergency Services**
- (i) **Report re:** Fire Chief, Fire Department Report for regular Council meeting on October 25, 2019. – **Report only.**
 - (ii) **Report re:** Pumper Replacement – **Report only.**
 - (iii) **Report re:** Dispatcher Clarification – **Policy requested.**
 - (iv) **Report re:** Annual Tree Lighting Fireworks – **Report only.**
- (g) **Transfer Station**
- (i) **Report re:** October 4 – October 22, 2019 – **Report only.**
- (h) **Council Presentations**
- (i) Deputy Mayor Ziraldo re: Regatta Finances – **Verbal report presented.**
11. **Correspondence**
- (a) **Action Items - Nil**
 - (b) **Information Items**
 - (i) **Almaguin Highlands Chamber of Commerce re:** Membership appeal
For information only.
 - (ii) **Letter to the Editor re:** Hospital sites redevelopment
For information only.
12. **Other Business – Nil**
13. **Closed Session**
Council will enter into a Closed Session for discussion regarding:
- (a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- Res. No. 13(a)/25/10/2019 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 2:58 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)/25/10/2019 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 4:14 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 October 25th, 2019.
- Res. No. 15/25/10/2019 Paul Ziraldo, Mike Rickward**
By-law No. 2019-51, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on October 25th, 2019 be read a first, second and third time and numbered 2019-51 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. 16/25/10/2019 Paul Ziraldo, Mike Rickward
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 4:17 p.m. to meet again at 1:00 p.m. on November 15th, 2019 in the Council Chambers, Kearney, Ontario. **CARRIED**

THE CORPORATION OF THE
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk