

Minutes

REGULAR COUNCIL MEETING Council Chambers Thursday, April 20, 2023 – 6:00 p.m.

Council Members Present: Deputy Mayor Mike Rickward
Councillors: Keven Beaucage, Heather Pateman, and
Jill Sharer

Staff Present: Cindy Filmore, Acting Clerk
Karen Fraser, Interim Acting Clerk
Brian Horsman, CBO
Matt Clouthier, DCBO
Caitlin Deevey, BLEO

1. **Call the Meeting to Order** – the meeting was called to order at 6:00 pm

2. **Approval of Agenda**

Res. No. 60 – 23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney of April 6, 2023, agenda, be adopted as amended:

- Remove SR-2023-016 from the consent list to item 9 for discussion
- Defer items 8.d.ii and 8.d.iii regarding the Boverhof Shore Road Allowance until May 4th Regular Council Meeting
- Defer item 8.d.iv regarding the Zoning By-law Amendment RZ-08-22
- Defer item 8.d.v regarding the Zoning By-law Amendment RZ-01-23
- Add 10.a. SR-2023-18 – Staff Report regarding the KCC Sound System Tender
- Add 10.b. SR-2023-19 – Staff Report regarding the KCC Generator
- Add 17.b.i Recruitment Part-Time Treasurer
- Add 17.b.ii. Recruitment Clerk Administrator

CARRIED

3. **Disclosure of Interest**

Councillor Pateman declared a pecuniary interest with regard to List of Accounts Cheque #32652, the reason being: cheque to my business, Fetterley's
Councillor Pateman declared a pecuniary interest with regard to Public Meeting Agenda Item 6.a. regarding Zoning By-law Amendment RZ-08-22 rezoning of own property

4. **Presentations - Nil**

5. **Delegations - Nil**

6. **Public Meetings Pursuant to the Planning Act**

a. Amendment to Zoning By-law 2022-20 – RZ-08-22 (Pateman)

[a Public Meeting took place, beginning at 6:04 pm
Councillor Pateman recused from the meeting
The meeting ended at 6:06 pm
Councillor Pateman rejoined the meeting]

b. Amendment to Zoning By-law 2022-20 – RZ-01-23 (Cicchillo)

[a Public Meeting took place, beginning at 6:07 pm and closed at 6:11pm]

7. **Public Meetings Pursuant to the Municipal Act – nil**

8. **Consent List**

a. **Adoption of Council Minutes**

- i. Special Council Meeting – April 5, 2023
- ii. Report – Closed Meeting – April 6, 2023
- iii. Regular Council Meeting – April 6, 2023

b. **Receive Committee, Agency & Other Reports**

- i. Almaguin Highlands Health Centre – April 6, 2023 Minutes

c. **Staff Reports**

- i. SR-2023-016 – Scope of work re: accessibility window – Building and Fire Dept.
- ii. SR-2023-017 - Hazardous Waste Day Event
- iii. Fire Chiefs Report – April 20, 2023
- iv. By-law Enforcement First Quarter Report - Jan. to Mar. 2023.
- v. Transfer Station Reports – April 4 to April 11, 2023
- vi. SR-2023-018 - KCC Sound Equipment Tender

d. **By-laws**

- i. **Amendment to Notice By-law** [*due to unforeseen changes caused by scheduling issues, a motion to accept these changes is necessary- Boverhof*]

Res. No. 61-23 Keven Beaucage, Heather Pateman

With respect to the road closing and sale application of Rudolf Alex Boverhof and Deborah Ann Boverhof for part of the original shore road allowance in front of Lot 9, Concession 6, Geographic Township of Bethune now in the Town of Kearney, District of Parry Sound, designated as Part 1 Plan 42R-21983, Council deems the following:

1. In addition to the required advertising and posting which took place prior to the March 16, 2023 meeting of Council, posting of notice on the Town's website of the new date and time for consideration of the By-law by Council will be adequate in this circumstance.
2. Circulation of the new date and time for consideration of the By-law by Council to the Applicant and all parties who submitted comments to the Clerk, in advance of the March 16, 2023 meeting will be adequate in this circumstance.
3. The notice requirements pursuant to By-law No 2007-61 which would otherwise apply to the matter shall be amended as approved by this motion and no further notice shall be required.

CARRIED

- ii. **By-law No. 2023-24** Being a Bylaw to stop up, sell Shore Road Allowance (Boverhof) [deferred until the May 4th Council meeting]
- iii. **By-law No. 2023-25 Deeming By-law** (Boverhof) [deferred until the May 4th Council meeting]
- iv. **By-law No. 2023-28 Zoning By-law Amendment (Cicchillo)**
- v. **By-law No. 2023-29 Zoning By-law Amendment (Pateman)**

e. **Receive Resolution Report**

Res. No. 62 -23 Keven Beaucage, Heather Pateman

BE IT RESOLVED that the Consent List for April 20, 2023, and the Recommendations contained therein be adopted as Resolutions of Council, except for items 8.c.i, which shall be moved out of the consent list for discussion and debate.

CARRIED

9. **Items Referred from the Consent List**

SR-2023-016 – Scope of work re: accessibility window – Building and Fire Dept

Res. No. 63-23 Keven Beaucage, Jill Sharer

WHEREAS there appears to be funding within the cash allowance (contingency) portion of the contract for the renovations to the Kearney Community Centre to address failures, shortcomings and concerns regarding possible issues which may arise while completing the renovations; and

WHEREAS the Report issued jointly by the Building and Fire Departments identifies shortcomings in the fire separations of the lobby area and the Municipal Office Service Window; now

THEREFORE BE IT RESOLVED That Council hereby directs staff to request a Notice of Change for the remedial repair to the existing fire separation outlined by the Building and Fire Departments in their joint recommendations to Council.

CARRIED

Res. No. 64-23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that Council considers the points presented to Staff by the Contractor and Consultants as identified in Staff Report SR-2023-019 and accepts the recommendations to require a review of the generator by the consultants Electrical Engineer to determine the necessary size of generator, and to have Larocque Elder Architects issue a Change Notice to allow for this review and to allow for a diesel generator in place of the propane unit.

CARRIED

10. Other Business

a. SR-2023-18 – Staff Report regarding the KCC Sound System Tender

Res. No. 65-23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby awards the tender to QVS at the amount of \$17480.00 plus HST for the KCC Sound System

CARRIED

b. SR-2023-19 – Staff Report regarding the KCC Generator

Res. No. 64 – 23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that Council considers the points presented to Staff by the Contractor and Consultants as identified in Staff Report SR-2023-019 and accepts the recommendations to require a review of the generator by the consultants Electrical Engineer to determine the necessary size of generator, and to have Larocque Elder Architects issue a Change Notice to allow for this review and to allow for a diesel generator in place of the propane unit.

CARRIED

11. Payment Register

Res. No. 66– 23 Jill Sharer, Keven Beaucage

BE IT RESOLVED That Council receives the List of Accounts for Cheques # 32633 to # 32675 in the total amount of \$621,392.08

CARRIED

12. Correspondence for Information

a. **Village of Sundridge Council Resolution re: Muskoka Algonquin Healthcare Local Share**

Res. No. 67 – 23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that Correspondence Item 12 a) be received as information.

CARRIED

13. Correspondence for Action

a. **Regional Fire Training Service Agreement**

Res. No. 68 – 23 Keven Beaucage, Heather Pateman

Whereas Kearney has been part of the Regional Fire Training Service with neighbouring municipalities since 2014, and

Whereas James Gary Courtice is willing to carry on this service to the five area fire departments at the same rate (\$90,400 plus expenses up to \$2,500) for the 2024-2027 time period; and

Whereas a new 2024 – 2027 agreement for the Joint Regional Fire Training Services has been provided, and is agreeable.

NOW THEREFORE BE IT RESOLVED that Council hereby agrees to enter into this agreement, known as the Joint Municipal Agreement 2024-2027

CARRIED

b. **Almaguin Highlands Health Council re: Long Term Plan (hospital)**

Res. No. 69-23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby defers the resolution regarding 13.b. of the April 20th agenda to allow staff to prepare financial information in this regard prior to the May 4th agenda.

CARRIED

**c. Almaguin Highlands Health Centre re: Long Term Plan (Burks Falls)
Res. No. 70 – 23 Keven Beaucage, Heather Pateman**

Whereas the Council of the Corporation of the Town of Kearney agrees that the Village of Burk's Falls would continue to manage the Almaguin Highlands Health Centre with the assistance of the AHHC Board (governance option #4); and

Whereas all member municipalities are recommended to enter into contribution agreements to cover approved budgeted costs at a fixed percentage with 5 year review intervals; and

Whereas these contribution agreements need to address the average annual operating and capital deficit of \$60,069; with the annual average contribution per member municipality for 2023 to be \$6,007.00 (option #3)

Now therefore be it resolved that the Council of the Corporation of the Town of Kearney hereby agrees with Options #3 and #4 as recommended.

CARRIED

**d. Memo re: 14 Rain Lake Road Zoning By-law Amendment
application**

Res. 71- 23 Keven Beaucage Jill Sharer

Whereas Council has received correspondence from Leanne Ziraldo dated February 2, 2023, requesting a Zoning Amendment for property at 14 Rain Lake Road with waiving of fees associated with same;

And whereas the current use for the property is non-conforming which requires a Zoning Amendment, at minimum, to rectify the situation;

And whereas associated costs for undertaking this process are not known and have potential to be substantial;

Now therefore be it resolved that Council, in keeping with the Town of Kearney's established fee schedule and by-laws, requires the applicant to provide all prescribed fees and costs associated with the process;

And further that the applicant be required to commence the process in a timely manner to address the non-conforming use.

CARRIED

14. Notice of Motion

[Members of Council may introduce motions for discussion at the next regular meeting.]

15. Council Announcements

Councillor Sharer

- Working on Swimming Lessons

Councillor Pateman

- Nothing at this time.

Councillor Beaucage

- Nothing at this time.

Deputy Mayor Rickward

- Nothing at this time.

16. Talk to the Mayor

17. Closed Session

Res. No. 72 – 23 Keven Beaucage, Michael Rickward

BE IT RESOLVED that the 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;
 - i. Outstanding Claim
 - ii. Clerk/Administrator/Treasurer Vacancy
- b. Labour relations or Employee negotiations
 - i. Recruitment Part-Time Treasurer
 - ii. Recruitment Clerk Administrator

CARRIED

18. Business Arising from Closed Session

Res. No. 73 – 23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby reconvenes in Open Session at 8:49 pm

CARRIED

19. Confirming By-Law No. 2023-30

Res. No. 74 – 23 Jill Sharer, Michael Rickward

BE IT RESOLVED that By-law No. 2023-30, being a By-law to confirm the proceedings of Council at its Regular Meeting held on April 20, 2023, be approved.

CARRIED

20. Adjournment

Res. No. 75 – 23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 8:54 pm to meet again at 6:00 pm on Thursday, May 4th, 2023 in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Michael Rickward, Deputy Mayor



Cindy Filmore, Acting Clerk