

Minutes

REGULAR COUNCIL MEETING Council Chambers Thursday, August 3, 2023 – 6:00 p.m.

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

Staff Present: Nicole Gourlay, Clerk Administrator
Cindy Filmore, Deputy Clerk
Paul Schaefer, Fire Chief
Stefanie Allen, Communications and Public Relations
Coordinator Intern (virtual)

1. **Call the Meeting to Order** – the meeting was called to order at 6:03 pm
2. **Approval of Agenda**
Res. No. 207 – 23 **Keven Beaucage, Michael Rickward**
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney of August 3, 2023 agenda, be adopted as circulated:
CARRIED
3. **Disclosure of Interest**
 - a. Heather Pateman – cheque #32903 re: to my business
 - b. Michael Rickward – 8.c.vi re: Fire Department purchase of ATV from family business
 - c. Jill Sharer – cheque #32925 re: re-imbusement for baseball supplies
4. **Presentations**
 - a. **Paul Schaefer re: Recognition of Exemplary Service Award**
Mayor Philip presented the medal for Exemplary Service (20 yr. pin) and thanked Chief Schaefer for his dedication to the Town, its' residents and his team and for his many years of service with the Kearney Volunteer Fire and Emergency Services Department.
5. **Delegations**
 - a. **Bob Lovell, Grass Lake re: Bell Canada batteries at outbuildings**
Res. No. 208-23 **Keven Beaucage, Heather Pateman**
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney thanks Mr. Lovell for his information and directs that Staff will further investigate to determine a beneficial course of action to be taken.
CARRIED
6. **Public Meetings Pursuant to the Planning Act – nil**
7. **Public Meetings Pursuant to the Municipal Act – nil**
8. **Consent List**
 - a. **Adoption of Council Minutes**
 - i. Regular Council Meeting, Thursday, July 6, 2023
 - ii. Special Meeting (Budget), July 13, 2023
 - b. **Receive Committee, Agency & Other Reports**
 - i. DPPSSAB – CAO's Report
 - c. **Staff Reports**
 - i. DRAFT Procedural By-law and Report
 - ii. DRAFT Fees & Charges By-law and Report
 - iii. Sucker Creek Bridge Report from Tatham Engineering
 - iv. Fire Chief Report re: Emergency Management Plan
 - v. Fire Chief Report re: Regatta Activities
 - vi. Fire Chief Report re: ATV (three quotes)
 - vii. Clerk-Administrator Report re: Updates on KCC & Seniors Room Reno, MOL orders and Sand Lake Boat Ramp

- viii. Transfer Station Hours (King William Street)
- ix. Transfer Station Report
- x. Quote from IT Service Provider re: Server & Security

d. By-laws

- i. By-law 2023-46 being a by-law to enter into an agreement with Tatham re: Engineer of Record
- ii. By-law 2023-47 Confirming By-law

e. Receive Resolution Report - Nil

Res. No. 209 -23 Keven Beaucage, Michael Rickward

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

CARRIED

9. Items Referred from the Consent List

a. Fire Chief Report re: ATV (three quotes)

Res. No. 210-23 Jill Sharer, Keven Beaucage

WHEREAS the Council of the Corporation of the Town of Kearney had requested that the Fire Chief obtain no less than 3 quotations for the impending purchase of a Side by Side ATV;

AND WHEREAS three quotations were received:

- 1. Rickward's Small Motors \$25,976.97 + HST
- 2. Wayne's World Polaris \$26,642.46 + HST
- 3. Edge Performance Centre \$29,177.97 +HST

NOW THEREFORE BE IT RESOLVED that Council awards the purchase of a Side by Side ATV to Rickward's Small Motors at a cost of \$25,976.97 + HST and applicable licensing (total \$29,428.98)

CARRIED

b. Transfer Station Hours (King William)

Res. No. 211-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that Council of the Corporation of the Town of Kearney hereby directs Staff to change the hours of operation of the King William Street Transfer Station to 9:00 am until 1:00 pm in order to facilitate a half hour lunch break for Staff.

CARRIED

c. Quote from IT Service Provider re: Server & Security

Res. No. 212-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves and accepts the quotation from Lake Country Office Solutions Inc. in the amount of \$66,000.00 (not inclusive of HST) for a one time capital cost and \$5,000.00 (not inclusive of HST) in annual subscription fees.

CARRIED

10. Other Business

11. Payment Register

Res. No. 213- 23 Keven Beaucage, Jill Sharer

BE IT RESOLVED That Council receives the List of Accounts for Cheques # 32891 to # 32946 in the total amount of \$126,097.72

CARRIED

12. Correspondence for Information

- a. Town of Parry Sound re Support for Resolution of Township of Archipelago regarding sustainable development and Bill 23
- b. Township of Cramahe re support for The Women of Ontario Say No
- c. Approval of Fireworks display for Regatta and suspension of associated by-laws

Res. No. 214 - 23 Jill Sharer, Michael Rickward

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

CARRIED

13. Correspondence for Action

a. The Women of Ontario Say No - Resolution regarding improvements to Municipal Codes of Conduct and Enforcement.

Res. No. 215-23 Keven Beaucage, Heather Pateman

WHEREAS, all Ontarians deserve and expect a safe and respectful workplace;
WHEREAS, municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse;
WHEREAS several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;
WHEREAS, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;
WHEREAS, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;
WHEREAS, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;
NOW, THEREFORE BE IT RESOLVED that the Corporation of the Town of Kearney supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments;
ALSO BE IT RESOLVED that the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
 - Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office

CARRIED

b. KWEF letter of support for SLAPOA regarding a call for sustainable development.

Res. No. 216-23 Michael Rickward, Keven Beaucage

WHEREAS, the Sand Lake Property Owners have presented Council with their requests to initiate changes to the Zoning By-law and to implement other by-laws to encourage sustainable development of our area;

AND WHEREAS, the Kearney Watershed Environmental Foundation has echoed their support for both the request for changes to the Zoning By-law and to implement other by-laws to encourage sustainable development of our area;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney thanks both the Sand Lake Property Owners Association and the Kearney Watershed Environmental Foundation for their concerns, their insight, and their information and requests that Staff prepare a report outlining the potential DRAFT by-laws such as a Site Alteration By-law to address these concerns.

CARRIED

c. Approval of Fireworks display for Regatta and suspension of associated by-laws

Res. No. 217-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Regatta Committee, hereby declares the Kearney Regatta to be a community festival and to be held on August 5th & 6th, 2023;

AND FURTHER that all By-laws that this festival contravenes (i.e. Noise By-law regarding fireworks and the Fireworks By-law) shall be suspended during the 2023 Kearney Regatta event;

AND FURTHER Council authorizes the use of the Kearney Community Centre and equipment, as well as assistance from Custodial Services and the Town Public Works equipment and employees, as available for the 2023 Kearney Regatta event;

AND FURTHER Council authorizes the closure of the section of Main Street from the intersection of Lakeview Avenue and Main Street, to the parking lot of the LCBO near the intersection of Rain Lake Road and Main Street, for the duration of the event.

CARRIED

14. Notice of Motion

[Members of Council may introduce motions for discussion at a future Council meeting.]
Council members requested information moving forward for:

- the Algonquins of Ontario and education regarding their concerns

- the Recreation Committee, terms of reference and getting the committee going
- Mrs. Murdy's concern regarding the large trees next to the Fire Hall
- Internet connectivity (StarLink)

15. Council Announcements

Councillor Pateman –

- Reminder that Council members have been asked to assist with annual Fireworks funds collection.
- Customer at the gas bar wanted to let Council know that they are very impressed with Town Staff and to commend all Staff for their ability to work with the Public

Mayor Philip

- Grand Opening of the Kearney Community Centre to welcome the Public and show our newly renovated facilities set for September 16, 2023. Staff to organize catering (coffee/tea/juice, etc. check with Kearney Seniors), notice to public (social media, mail out, website), set up, etc..

16. Talk to the Mayor

Dave Matson – Thank you for having the transfer station open on the Statutory Holidays

17. Closed Session

Res. No. 218-23 Heather Pateman, Jill Sharer

BE IT RESOLVED that Council hereby convenes in Closed Session for discussion regarding:

BE IT RESOLVED that the Council of the Corporation of the Town at 8:07 p.m., moves into closed session under Section 239 (2) of the Municipal Act, under the following subsections:

- (a) Labour Relations or Employee Negotiations;
- (c) Acquisition or disposition of land; and
- (b) Personal Matters about an identifiable individual.

Res. No. 219-23 Heather Pateman, Michael Rickward

BE IT RESOLVED that the Council meeting goes beyond the four hour curfew.

CARRIED

18. Business Arising from Closed Session

Res. No. 220-23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that Council reconvenes in Open Session at 10:12 pm

CARRIED

Res. No. 221-23 Heather Pateman, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the Clerk-Administrator to post for a full-time Treasurer as soon as possible.

CARRIED

19. Confirming By-Law No. 2023-47

Res. No. 222 – 23 Cheryl Philip, Jill Sharer

BE IT RESOLVED that By-law No. 2023-47, being a By-law to confirm the proceedings of Council of its Regular Meeting held of August 3, 2023, be approved.

CARRIED

20. Adjournment

Res. No. 223– 23 Michael Rickward, Heather Pateman

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 10:13 pm to meet again at 6:00 pm on Thursday, September 7, 2023 in the Council Chambers, Kearney, Ontario.

CARRIED

THE CORPORATION OF THE

TOWN OF KEARNEY

Mayor

Clerk