



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, June 4th, 2021

1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Cheryl Philip (Virtual), Mike Rickward, Liz Stermsek and Paul Ziraldo (Virtual)

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Brian Horsman, Chief Building Official
Ross Gattozzi, Operations Manager
Paul Schaefer, Fire Chief (Virtual)

1. **Call the Meeting to Order**

Res. No. 1/04/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on June 4th, 2021 be declared open and called to order at 1:00 p.m. **CARRIED**

Moment of silence to honour the memory of David Bolus and to honour the memory of 215 Indigenous Children.

2. **Approval of Agenda**

Res. No. 2/04/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on June 4th, 2021 be adopted as circulated. **CARRIED**

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

Councillor Mike Rickward declared a pecuniary interest with regard to : Cheque #30754, the reason being: Cheque payment to family business

4. **Delegations/Presentations**

(a) Delegations - Nil

(b) Presentations – Nil

5. **Minutes**

(a) Adoption of Minutes

Res. No. 5(a)(i)-(iii)/04/06/2021 Mike Rickward, 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 – May 14th, 2021

(ii) **Special Meeting**, Draft Minutes – May 21st, 2021

(iii) **Special Meeting**, Draft Minutes – May 28th, 2021 **CARRIED**

(b) Receive Committee Minutes - Nil

6. **Committee Resolutions for Consideration**

(a) **Kearney Dog Sled Races Advisory Committee**

(i) Resolution re:

Res. No. 6(a)(i)/04/06/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Dog Sled Races Advisory Committee, hereby declares the Dog Sled Races Event to be a community festival and to be held on February 11th, 12th & 13th, 2022;

AND FURTHER that all By-laws that this festival contravenes (i.e. Noise By-law regarding barking dogs) shall be suspended during the 2022 Dog Sled Race event;

AND FURTHER that as a safety precaution, Council authorizes the closure of the Kearney Transfer Station at 149 King William Street during the Dog Sled Races on February 12th & 13th, 2022, from 9:30 a.m. to 4:00 p.m.;

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 2022 Dog Sled Races 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**

(ii) **Resolution re:** Advertise for positions

Res. No. 6(a)(ii)/04/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Dog Sled Races Advisory Committee, authorizes Staff to advertise for the following volunteer committee positions: Secretary; Silent Auction Co-ordinator; Entertainment; Advertisement and Social Media; and Volunteer Co-ordinator. **CARRIED**

(iii) **Resolution re:** Chairperson

Res. No. 6(a)(iii)/04/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of the Dog Sled Races Advisory Committee, recognizes Kaitlynn Paquette as the Chair of the Committee, effective May 20, 2021. **CARRIED**

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**

(i) **Report re:** Building Activity to May 26, 2021 – **Report only**

(ii) **By-law No. 2021-18 re:** Construction, Demolition, Change of Use, Conditional Permits and Inspections

Res. No. 10(a)(ii)/04/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-18, Being a By-law respecting Construction, Demolition, Change of Use, Conditional Permits and Inspections, be read a first, second and third time and numbered 2021-18 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**

(b) **Planning**

(i) **June 26, 2020 Report and Resolution re:** Purchase of Neighboring Property

Res. No. 10(b)(i)/04/06/2021 Liz Stermsek, Mike Rickward

WHEREAS a request was received in June 2020, from a property owner asking to purchase the adjacent Town owned lot;

AND WHEREAS Council, at that time, supported, in principle, the sale of this parcel subject to negotiation and all costs being the responsibility of the recipient;

AND WHEREAS, an appraisal of the property, which has not yet been completed, is requested prior to the potential sale;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney is in agreement to selling this property subject to obtaining a current appraisal and all parties agreeing to the cost. **CARRIED**

(ii) **Report and Resolution re:** Deeming By-law (Sniderman/Prichard)

Res. No. 10(b)(ii)/04/06/2021 Mike Rickward, Liz Stermsek

WHEREAS Allen Sniderman and Sarah Prichard applied to purchase the Shore Road Allowance in front of their properties (Lots 25 & 26, Plan M89);

AND WHEREAS to adequately control the development of land, it is expedient to deem the parts of a plan of subdivision to NOT be parts of a plan of subdivision, but instead to be lots including the adjacent Shore Road Allowance;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports approval of a By-law designating Lot 25 and Lot 26, Plan M89 not to be lots on a Registered Plan of Subdivision for Planning Act purposes. (SNIDERMAN/PRICHARD) **CARRIED**

(iii) **By-law No. 2021-xx re: Deeming By-law Plan M89, Lots 25 and 26**
Res. No. 10(b)(iii)/04/06/2021 Liz Stermsek, Cheryl Philip
By-law No. 2021-19, Being a Deeming By-law to designate Lot 25, Plan M-89 and Lot 26, Plan M-89 not to be Lots on a Registered Plan of Subdivision for Planning Act purposes, be read a first, second and third time and numbered 2021-19 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

(iv) **Discussion re: Dates for Official Plan Amendment; Comprehensive Zoning By-law; Short Term Rentals; Cannabis**
Council suggested the dates of July 10th, 2021 and July 17th, 2021, subject to the availability of our Planners, as possible dates for the upcoming public meetings.

(c) Operations

(i) **Transfer Station Report** – for the period May 14, 2021 to June 1, 2021 – **Report only.**

(ii) **Discussion and Resolution re: Hydro to Park Road Ball Diamond**
Res. No. 10(c)(ii)/04/06/2021 Liz Stermsek, Mike Rickward
WHEREAS Council has received a request from a developer, to share the basic cost of installing hydro lines for a development on Park Road;
AND WHEREAS, as this installation will be alongside of our ball diamond, it would allow for future lighting of the ball diamond and/or adjacent parking area;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines _____ .

DEFERRED

(iii) **Report and Resolution re: 2021 OSIM Bridge and Culvert Inspection Program**
Res. No. 10(c)(iii)/04/06/2021 Mike Rickward, Liz Stermsek
WHEREAS in accordance with the 'Ontario Structure Inspection Manual (OSIM)', all bridges, culverts and tunnels with spans of three (3) metres or greater, all retaining walls and all movable bridges are required to be inspected every two (2) years;
AND WHEREAS the biennial OSIM Bridge and Culvert Inspection Program is due in 2021;
AND WHEREAS Tulloch Engineering completed this Inspection for Kearney in 2019 at a cost of \$5,900.00 plus tax;
AND WHEREAS Tulloch Engineering has offered to complete the 2021 inspections for the same fee as 2019;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the quote from Tulloch Engineering in the amount of \$5,900.00 plus tax to complete the 2021 Biennial Municipal Structure Inspections and Report.

DEFERRED

(iv) **Resolution re: Hiring Summer Students**
Res. No. 10(c)(iv)/04/06/2021 Liz Stermsek, Mike Rickward
WHEREAS the Town of Kearney has advertised for students to fill various summer employment positions;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the hiring of the following students for the summer of 2021;
Brandon Fernandez as Parks and Maintenance Student Position
Malcolm Barlow as Parks and Maintenance Student Position

CARRIED

(v) **Report and Resolution re: Upgrade West Bay Road**
Res. No. 10(c)(v)/04/06/2021 Mike Rickward, Liz Stermsek
WHEREAS Council requested costs to upgrade West Bay Road beyond the West Bay Road Bridge;
AND WHEREAS a survey is needed to establish the property lines along the road, in order to obtain a realistic quote;
AND WHEREAS additional costs of: establishing a turn around; rock removal; and excavation have been identified;
NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney determines to notify the property owners of estimate and survey number of owners that would like to proceed by way of a fees and charges By-law process.

CARRIED

(d) Administration

(i) **By-law No. 2021-xx re: Appointment of Alternate By-law Enforcement Officer**
Res. No. 10(d)(i)/04/06/2021 Paul Ziraldo, Cheryl Philip
By-law No. 2021-20, Being a By-law to Appoint an Alternate Municipal By-law Enforcement Officer/Canine Control Officer/Property Standards Officer to act as required by the Town of

Kearney, be read a first, second and third time and numbered 2021-20 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. 2021-xx re:** To establish a Joint Compliance Audit Committee and appoint Committee members for the 2022 Municipal Election period

Res. No. 10(d)(ii)/04/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-22, Being a By-law to establish a Joint Compliance Audit Committee and appoint Committee members for the 2022 Municipal Election period, be read a first, second and third time and numbered 2021-22 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) **Caitlin Deevey, By-law Enforcement Officer, Report and Resolution re:** Backyard hens and Roosters

Res. No. 10(d)(iii)/04/06/2021 Liz Stermsek, Mike Rickward

WHEREAS Council has received a report regarding backyard hens and roosters;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney ask for Staff report on neighbouring municipalities. **CARRIED**

(iv) **Township of Ryerson re:** Request for By-law Enforcement Services

Res. No. 10(d)(iv)/04/06/2021 Mike Rickward, Liz Stermsek

WHEREAS Council has received a request from the Township of Ryerson, to share By-law Enforcement Officer services on a fee for service basis;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney supports in principle, the request by Ryerson to share By-law services. **CARRIED**

(e) **Treasury**

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

Res. No. 10(e)(i)/04/06/2021 Liz Stermsek, Mike Rickward

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 #30723 to #30777 in the total amount of \$151,951.81. **CARRIED**

(ii) **Resolution re:** Ontario Regulation 284/09

Res. No. 10(e)(ii)/04/06/2021 Liz Stermsek, Mike Rickward

WHEREAS generally accepted accounting principles for local governments established by the Public Sector Accounting (PSAB) of the Chartered Professional Accountants of Canada require municipalities to capitalize and amortize tangible capital assets, and to accrue liabilities related to post-employment and solid waste landfill closure and post-closure expenses;

AND WHEREAS Ontario Regulation 284/09 states that a municipality may exclude these expenses from budgeted amounts for which revenue must be raised;

AND WHEREAS if excluded, Ontario Regulation 284/09 requires Councils, prior to approving a municipal budget, to adopt a report that shows the impact of fully covering these expenses;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the report entitled "Municipal Act, 2001 Ontario Regulation 284/09, 2021 Budget" attached hereto. **CARRIED**

(iii) **Draft By-law No. 2021-xx re:** 2021 Draft Budget

Res. No. 10(e)(iii)/04/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-23, Being a By-law to provide for the Adoption of the 2021 Budget, be read a first, second and third time and numbered 2021-23 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**

(f) **Fire and Emergency Services**

(i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on June 4, 2021 – **Report only.**

(ii) **Report and Discussion re:** New Fire Truck
Council requested specifications for a new fire truck, prior to finalizing their decision.

(iii) **Discussion re:** Open Air Burning By-law
Council discussion resulted in the direction for the Open Air Burning By-law to be updated as quickly as possible.

(g) **Facilities and Buildings** - Nil

(h) Council Presentations

(i) Mayor Ballantyne, discussion re: Public Access to Town Office

Discussion of Council resulted in the decision for Municipal Buildings to continue to remain closed to the public at this time.

11. Correspondence

(a) Action Items

(i) Ontario Association of Optometrists re: OHIP services for Eye Care

Res. No. 11(a)(i)/04/06/2021 Liz Stermsek, Mike Rickward

WHEREAS the Ontario Association of Optometrists reports that they have never had a formal negotiation process with the Government of Ontario with respect to the cost of delivering eye care;

AND WHEREAS the Ontario Health Insurance Plan (OHIP) currently covers only approximately half of the cost it takes Optometry Clinics to deliver our eye care resulting in them absorbing the balance of the cost;

AND WHEREAS the Province, through OHIP, has failed to properly invest in optometric care for over 30 years resulting in many Ontarians now being at risk of losing access to eye care as early as September 1st, 2021 should Optometrists stop accepting OHIP;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney calls upon the Provincial Government to address this shortfall immediately;

AND FURTHER, that this resolution be forwarded to our local MP's and MPP's, the Minister of Finance and all Ontario Municipalities for support. **CARRIED**

(ii) North Bay & District Labour Council re: Proclamation to recognize June as Pride Month

Res. No. 11(a)(ii)/04/06/2021 Mike Rickward, Liz Stermsek

WHEREAS the month of June is recognized as Pride Month, in order to commemorate the Stonewall riots which occurred at the end of June 1969 in New York;

AND WHEREAS during Pride Month, the world's Lesbian, Gay, Bisexual, Trans, Intersex, Queer, Questioning, Two Spirit communities (LGBTQ2St) and Allies come together to celebrate diversity and protest for the freedom to be themselves, to overcome prejudice, for inclusive policies and laws and for the right to be accepted for who they are;

AND WHEREAS although many strides have been made forward to educate peoples bias, there is still much work to be done in correcting adversity towards the LGBTQ2St communities;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney does hereby proclaim June 2021 as Pride Month and encourages residents to commit to continuing Awareness, Inclusion and Acceptance for all members of our community regardless of gender identity, race, age and beliefs. **CARRIED**

(iii) Municipality of Whitestone re: Request for support - Mayors Monarch Pledge

Res. No. 11(a)(iii)/04/06/2021 Liz Stermsek, Mike Rickward

WHEREAS the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Canadians;

AND WHEREAS the monarch butterfly population has declined by nearly 90% over the past 20 years due to habitat loss from industrial agricultural practices in Canada and the US and deforestation in Mexico;

AND WHEREAS the Committee of the Status of Endangered Wildlife in Canada updated the monarch butterfly's status from special concern to endangered in 2016;

AND WHEREAS climate change will pose new challenges for the monarch butterfly in the Parry Sound District and throughout its range;

AND WHEREAS municipalities have a critical role to play in helping to save the monarch butterfly;

AND WHEREAS every citizen of the Parry Sound District can make a difference for the monarch butterfly by planting native milkweed and nectar plants to provide habitat for the monarch butterfly and other pollinators;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney supports signing the Mayor's Monarch Pledge. **CARRIED**

(iv) Almaguin Community Economic Development re: ACED Community Capacity Building Projects – Municipal Engagement Request

Res. No. 11(a)(iv)/04/06/2021 Mike Rickward, Liz Stermsek

WHEREAS Council has received information from Almaguin Community Economic Development (ACED) with regard to several planned projects in 2021;

AND WHEREAS the ACED Team would like to meet with Council to discuss projects that would

fit with our Municipality;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney will ask Dave Gray to make a presentation to Council. **CARRIED**

- (v) **Township of McKellar re:** Request for support – Consideration of Tax Breaks on 2020 Canada Emergency Response Benefit payments

Res. No. 11(a)(v)/04/06/2021 Liz Stermsek, Mike Rickward

WHEREAS the Government of Canada has implemented the Canada Emergency Response Benefit (CERB) to financially assist those in dire need during the Covid-19 pandemic;

AND WHEREAS the CERB grant has helped many Canadians in dire need;

AND WHEREAS many of those that applied were single women, single parents, lower income citizens without employment and lacking in tax knowledge;

AND WHEREAS the Government of Canada did not initially inform CERB recipients that CERB was a taxable benefit;

AND WHEREAS when the CERB was merged with Employment Insurance Benefits (EI) in the fall of 2020, the Federal Government stated that they would have tax withheld similar to EI;

AND WHEREAS the Federal Government did not withhold tax on CERB for the second time as promised;

AND WHEREAS CERB recipients are surprised to learn that they are expected to pay income tax on CERB funds;

AND WHEREAS these recipients were never advised of this issue;

AND WHEREAS these recipients are now faced with an added burden of paying unexpected taxes on CERB, which they can ill afford;

AND WHEREAS the Federal Government has, in the past, found ways to assist businesses and corporations through difficult times by forgiving large loans and debts to the Government;

AND WHEREAS many businesses and corporations have the means to find ways to reduce their tax obligations;

AND WHEREAS those most in need do not have the means or understanding of how the tax system works and are simply trying to survive and cope with the effects of Covid-19, feed their families and put a roof over their head;

AND WHEREAS when the CERB grant and EI were merged, the Federal Government did not, as they stated, withhold tax from CERB as the did on EI, and are now insisting CERB recipients repay as much as \$3,000.00 to \$4,000.00 in tax, which they can ill afford to pay;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney urges the Federal Government to address this serious issue and consider giving disadvantaged CERB recipients a tax break for 2020, or give them a tax credit for 2021.

AND FURTHER, that this resolution be forwarded to the Federal Minister of Finance and Parry Sound-Muskoka MP Scott Atchison. **CARRIED**

(b) Information Items

- (i) **Report re:** *To the Council of the Town of Kearney regarding the Investigation of an Alleged Improperly Closed Meeting or Meetings of the Council of the Town of Kearney* – For information.
- (ii) **Yasmin Rosh re:** Snowmobile Route – For information.
- (iii) **Almaguin Highlands Health Centre**, Draft Minutes – May 7th, 2021 – For information.
- (iv) **Kearney Watershed Environmental Foundation re:** May 2021 Newsletter – For information.
- (v) **Muskoka Algonquin Healthcare re:** Important Information for Partners & Leaders – For information.

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)/04/06/2021 Liz Stermsek, 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 3:13 p.m. for discussion regarding:

- (a) *Labour relations or employee negotiations (x2)*

CARRIED

Res. No. 13(b)/04/06/2021 Mike Rickward, 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 4:27 p.m. **CARRIED**

14. Business Arising from Closed Session

Mayor Ballantyne reported on matters discussed in Closed Session.

15. Confirming By-Law

Res. No. 15/04/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-24, Being a By-law to confirm the proceedings of Council at its Special Meeting held on May 21st, 2021, at its Special Meeting held on May 28th, 2021 and at its Regular Meeting held on June 4th, 2021, be read a first, second and third time and numbered 2021-24 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

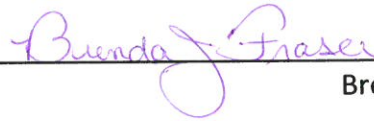
Res. No. 16/04/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 4:29 p.m. to meet again at 1:00 p.m. on June 25th, 2021 in the Council Chambers, Kearney, Ontario. **CARRIED**

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk