



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, June 25th, 2021

1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Mike Rickward and Liz Stermsek. Paul Ziraldo joined
(Virtual) at 1:30 p.m.

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

Regrets: Councillor Cheryl Philip

1. **Call the Meeting to Order**

Res. No. 1/25/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on June 25th, 2021 be declared open and called to order at 1:00 p.m. **CARRIED**

Moment of silence to honour the memory of Allan Ireland.

2. **Approval of Agenda**

Res. No. 2/25/06/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on June 25th, 2021 be adopted as amended.

ADD 10(f)(iv) Resolution re: New Firefighter CARRIED

3. **Declaration of Pecuniary Interest and the General Nature Thereof – None noted.**

4. **Delegations/Presentations**

(a) **Delegations**

(i) **Holly Groome**, Vice President, Clam Lakes Property Owners Association re:
Bare Rock Trail

On behalf of the Clam Lakes Property Owners Association, Ms. Groome noted areas on Bare Rock Trail that require maintenance and requested Council consider the suggested improvements.

(b) **Presentations**

(i) **Dave Gray**, Director of Economic Development, Almaguin Community Economic Development re: 2020 Annual Report: 2021 Work Plan

Mr. Gray briefly noted the ACED Annual Report and 2021 Work Plan and offered to continue to work with Kearney to see Kearney highlighted and to help our businesses grow.

5. **Minutes**

(a) **Adoption of Minutes**

Res. No. 5(a)(i)/25/06/2021 Liz Stermsek, Mike Rickward

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 – June 4th, 2021 CARRIED**

(b) Receive Committee Minutes

Res. No. 5(b)(i)/25/06/2021 Mike Rickward, 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 Building Advisory Committee, Draft Minutes –**
June 17th, 2021

CARRIED

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

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** - Nil

(b) **Planning**

- (i) **Report and Resolution re:** Request to purchase Shore Road Allowance (29 Generation Lane)

Res. No. 10(b)(i)/25/06/2021 Liz Stermsek, Mike Rickward

WHEREAS an application to purchase the Shore Road Allowance in front of the property known as 29 Generation Lane has been received;

AND WHEREAS Council continues to support the sale of Shore Road Allowances to the adjacent property owner;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports, in principle, the sale of the Shore Road Allowance in front of 29 Generation Lane, to the adjoining land owner.

CARRIED

- (ii) **Report and Resolution re:** Request to purchase Shore Road Allowance (266 Hazard Hill Road)

Res. No. 10(b)(ii)/25/06/2021 Mike Rickward, Liz Stermsek

WHEREAS an application to purchase the Shore Road Allowance in front of the property known as 266 Hazard Hill Road has been received;

AND WHEREAS Council continues to support the sale of Shore Road Allowances to the adjacent property owner;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports, in principle, the sale of the Shore Road Allowance in front of 266 Hazard Hill Road, to the adjoining land owner.

CARRIED

- (iii) **Report and Resolution re:** Encroachment Agreement request (696 Grass Lake Road)

Res. No. 10(b)(iii)/25/06/2021 Liz Stermsek, Mike Rickward

WHEREAS a request has been received to continue to locate a dock on the Shore Road Allowance presently owned by the Town and adjacent to the property at 696 Grass Lake Road;

AND WHEREAS the property owner at 696 Grass Lake Road is requesting to enter into an Encroachment Agreement with the Town, for this dock;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney is willing to enter into an Encroachment Agreement and asks that the new dock be located as close to their property line as possible and clearly marked for winter.

CARRIED

(c) **Operations**

- (i) **Transfer Station Report** – for the period June 3, 2021 to June 22, 2021 – **Report only.**

- (ii) **Report and Resolution re:** 2021 OSIM Bridge and Culvert Inspection Program

Res. No. 10(c)(ii)/25/06/2021 Mike Rickward, Liz Stermsek

WHEREAS Council had previously received a quote from Tulloch Engineering, the Town's Engineer of Record, with regard to the required biennial OSIM report;

AND WHEREAS Tulloch Engineering proposed, at that time, to complete the 2021 OSIM Report for the same fee as in 2019;

AND WHEREAS Council deemed it expedient to request additional quotes for the 2021 OSIM Report;

AND WHEREAS quotes have now been received as follows:

Tulloch Engineering	\$5,900.00 + HST; New: Will match lowest quote
DM Wills Engineering	\$4,740.00 + HST
Tatham Engineering	\$6,900.00 + HST

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the quote from DM Wills Eng. in the amount of \$4,740.00 + HST to complete the 2021 Biennial Municipal Structure Inspections and Report. **CARRIED**

(iii) **Report and Resolution re:** Echo Ridge Culvert Replacement

Res. No. 10(c)(iii)/25/06/2021 Liz Stermsek, Mike Rickward

WHEREAS the Town of Kearney requested Tenders for the replacement of the Echo Ridge Road Culvert;

AND WHEREAS five (5) Tenders were received as follows:

HLD Corporation of Huntsville	\$305,077.00
Fowler Construction Company Limited of Bracebridge	\$355,060.28
Deep Construction Inc. of Sturgeon Falls	\$438,241.87
Bruman Construction Inc. of North Bay	\$453,986.00
Fidelity Engineering & Construction Inc. of Colborne	\$624,125.03

AND WHEREAS these Tenders are all higher than the Engineer's pre-tender revised estimate of \$240,240.00 due to construction costs being at a premium as a result of COVID related supply and demand impacts in labour and material (particularly steel);

AND WHEREAS the Town has included an amount of \$265,00.00 in the 2021 Budget for the Echo Ridge Road Culvert replacement;

AND WHEREAS Tulloch Engineering has reviewed the Tenders received and recommends the Tender be awarded to HLD Corporation;

AND WHEREAS Tulloch Engineering has suggested that the Town may request that Tulloch negotiate cost saving after the Tender Award, by deleting the polymer coating on the culvert and by eliminating/ deferring the guiderail systems;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the Tender from HLD Corporation of Huntsville in the amount of \$305,077.00 to complete the Echo Ridge Road Culvert Replacement. **CARRIED**

(d) Administration

(i) **By-law No. 2021-xx re:** To Establish Fees and Charges

Res. No. 10(d)(i)/25/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-25, Being a By-law to Establish Fees or Charges for Services or Activities provided or done by the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2021-25 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)/25/06/2021 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 #30778 to #30842 in the total amount of \$604,475.98. **CARRIED**

(ii) **Draft By-law No. 2021-xx re:** To set the 2021 Tax Ratios and 2021 Tax Rates

Res. No. 10(e)(ii)/25/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-26, Being a By-law to Set the 2021 Tax Ratios and 2021 Tax Rates and to further provide for Tax Collection and Penalty and Interest in Default of Payment thereof, be read a first, second and third time and numbered 2021-26 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 25, 2021 – **Report only.**

(ii) **By-law No. 2021-xx re:** To Provide for the Regulation of Open Air Burning

Res. No. 10(f)(ii)/25/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-27, Being a By-law to provide for the regulation of Open Air Burning and precautions to be taken by persons setting fires, be read a first, second and third time and numbered 2021-27 and that the said By-law be signed by the Mayor and Clerk, sealed with the

(iii) **Discussion re:** New Fire Truck – **Discussion only.**

(iv) **Resolution re:** New Firefighter

Res. No. 10(f)(iv)/25/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Jacob Lee to the Kearney Fire and Emergency Services Department, as a volunteer firefighter/first responder, subject to the conditions agreed to in the United Food and Commercial Workers Collective Agreement.

CARRIED

(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) **Town of Fort Erie re:** Provincial Hospital Funding of Major Capital Equipment

Res. No. 11(a)(i)/25/06/2021 Mike Rickward, Liz Stermsek

WHEREAS Municipalities across the Province are facing major shortfalls in meeting their financial obligations as set out in their asset management plans;

AND WHEREAS Municipalities cannot afford to directly absorb the financial responsibility for the replacement costs of hospitals' major capital equipment without jeopardizing their own financial sustainability;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the Town of Perth in their request to have the Province be completely responsible for funding local hospitals;

AND FURTHER, if the Province is unwilling to assume the full responsibility for funding local hospitals completely, Council requests that the Province develop legislative framework as to how counties and municipalities should best address the financial shortfalls facing hospitals throughout Ontario.

CARRIED

(ii) **Town of Fort Erie re:** Capital Gains Tax on Primary Residence

Res. No. 11(a)(ii)/25/06/2021 Liz Stermsek, Mike Rickward

WHEREAS primary residences are currently exempt from capital gains tax;

AND WHEREAS currently, secondary and additional non-primary properties are subject to capital gains;

AND WHEREAS the Federal Government is currently looking into a primary residence capital gains tax as they have recognized that affordable housing has become a serious issue in Canada;

AND WHEREAS smaller communities are seeing unprecedented higher selling prices that are outpacing prices in larger cities;

AND WHEREAS many hard-working Canadians who have only a primary residence with no additional non-primary homes count on their home equity as financial aid to apply to upsizing or downsizing their home depending on their personal situation;

AND WHEREAS a change in taxation to primary residences would be a significant financial blow to Canadians and would create an unfair, two-tiered taxation which could lead to depleted savings, inter-generational disparities, disparities around diverse groups such as seniors who have a significant portion of their savings vested in their primary residence, as well as, reducing the ability of home ownership thereby a further, higher need for rentals;

AND WHEREAS the Federal government could look at other means to slow down the rapidly escalating housing costs to improve housing affordability;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney petitions the Federal Government to cease further consideration of eliminating capital gains tax exemptions on primary residences;

AND FURTHER that a copy of this Resolutions be circulated to: Prime Minister Justin Trudeau; Premier Doug Ford; MP Scott Aitchison and MPP Norm Miller.

CARRIED

(iii) **City of St. Catharines re:** Lyme Disease Awareness Month

Res. No. 11(a)(iii)/25/06/2021 Mike Rickward, Liz Stermsek

WHEREAS Lyme Disease is a crippling disease if not diagnosed and treated appropriately;

AND WHEREAS Ontario Health does not cover treatment and testing for all strains of Lyme Disease;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney petitions the Ontario Government to expand testing to all strains of Lyme Disease and to improve the level of treatment and care for those diagnosed with this crippling disease; **AND FURTHER** that a copy of this Resolutions be circulated to: Premier Doug Ford; MP Scott Aitchison and MPP Norm Miller. **CARRIED**

(b) Information Items

- (i) Chief Administrative Officer, District of Parry Sound Social Services Administration Board re: May 2021 Report**
- (ii) Almaguin Highlands Health Centre, Draft Minutes – June 4th, 2021**

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)-(b)/25/06/2021 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 2:22 p.m. for discussion regarding:

- (a) Personal matters about an identifiable individual, including municipal or local board employees;**
 - (b) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**
- CARRIED**

Res. No. 13(c)/25/06/2021 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 3:10 p.m. **CARRIED**

14. Business Arising from Closed Session

Mayor Ballantyne reported on matters discussed in Closed Session.

15. Confirming By-Law

Res. No. 15/25/06/2021 Liz Stermsek, Mike Rickward

By-law No. 2021-28, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on June 25th, 2021, be read a first, second and third time and numbered 2021-28 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

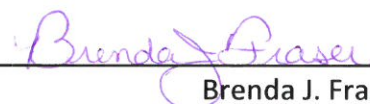
Res. No. 16/25/06/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 3:12 p.m. to meet again at 1:00 p.m. on July 16th, 2021 in the Council Chambers, Kearney, Ontario. **CARRIED**

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk