



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, September 17<sup>th</sup>, 2021

1:00 p.m.

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

**Staff Present:** Brenda J. Fraser, CAO|Clerk|Treasurer  
Keven Beaucage, Deputy Clerk, Deputy Treasurer  
Brian Horsman, Chief Building Official

**Regrets:** Councillor Liz Stermsek

1. **Call the Meeting to Order**  
Res. No. 1/17/09/2021 Liz Stermsek, Paul Ziraldo  
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on September 17<sup>th</sup>, 2021 be declared open and called to order at 1:01 p.m. **CARRIED**
2. **Approval of Agenda**  
Res. No. 2/17/09/2021 Paul Ziraldo, Liz Stermsek  
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on September 17<sup>th</sup>, 2021 be adopted as circulated. **CARRIED**
3. **Declaration of Pecuniary Interest and the General Nature Thereof – None noted.**
4. **Delegations/Presentations**
  - (a) Delegations – Nil
  - (b) Presentations
    - (i) Judy Kleinhuis, Grant Thornton re:
      - 1) Draft Consolidated 2020 Financial Statements
      - 2) Report to Council – Audit strategy and resultsJudy Kleinhuis, CPA, CA, Principal, Grant Thornton, presented the 2020 Consolidated Financial Statements and the Audit Strategy and Results with respect to the Town of Kearney.
5. **Minutes**
  - (a) Adoption of Minutes  
Res. No. 5(a)(i)/17/09/2021 Liz Stermsek, Paul Ziraldo  
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 – August 27<sup>th</sup>, 2021 **CARRIED**
  - (b) Receive Committee Minutes  
Res. No. 5(b)(i)-(ii)/17/09/2021 Liz Stermsek, Paul Ziraldo  
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receive the following Advisory Committee Minutes:
    - (i) Joint Waste Management Committee re: Draft Minutes – August 25, 2021
    - (ii) Kearney Community Centre Building Advisory Committee re: Minutes – August 25, 2021; September 1, 2021; and September 8, 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: Consent Agreements B037/20 & B038/20 (FRIEDLAND)**

**Res. No. 10(b)(i)/17/09/2021 Paul Ziraldo, Liz Stermsek**

**WHEREAS** Consent Applications B-037/20 and B-038/20 (FRIEDLAND) were supported by Council in February 2021;

**AND WHEREAS** the consent conditions included the passing of a By-law to remove the one-foot reserve at the end of Riverside Drive;

**AND WHEREAS** the consent conditions included the need for a Consent Agreement outlining the construction, maintenance and liability issues of a private roadway;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports the passing of By-laws to provide for the removal of the one-foot reserve and the Agreement. **CARRIED**

(ii) **By-law No. 2021-xx re: Consent Agreement (FRIEDLAND)**

**Res. No. 10(b)(ii)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**By-law No. 2021-37**, Being a By-law to authorize the signing of a Consent Agreement between the Corporation of the Town of Kearney and Martin Lawrence Friedland and Judith Fern Friedland, be read a first, second and third time and numbered 2021-37 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and be engrossed in the By-law Book. **CARRIED**

(iii) **Bl-law No. 2021-xx re: Block 8 – Plan 42M-647**

**Res. No. 10(b)(iii)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**By-law No. 2021-38**, Being a By-law to establish Block 8 on Plan 42M-647 as a Public Highway, be read a first, second and third time and numbered 2021-38 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and be engrossed in the By-law Book. **CARRIED**

(c) **Operations**

(i) **Transfer Station Report – for the period August 27, 2021 to September 14, 2021 – Report only.**

(ii) **Report and Resolution re: Pick-up Truck Tender**

**Res. No. 10(c)(ii)/17/09/2021 Paul Ziraldo, Liz Stermsek**

**WHEREAS** on August 27, 2021, the Council of the Corporation of the Town of Kearney authorized the purchase of a Pick-up Truck from Mac Lang Chrysler Dodge in the amount of \$45,517.00 plus HST;

**AND WHEREAS** that vehicle is no longer sellable as a result of being damaged in transport;

**AND WHEREAS** Mac Lang Chrysler Dodge has offered a comparable truck, however there is a price increase of \$1,257.00;

**NOW THEREFORE BE IT RESOLVED** that, given the challenge in obtaining vehicles during the COVID-19 Pandemic, the Council of the Corporation of the Town of Kearney authorizes the purchase of the Pick-up Truck from Mac Lang Chrysler Dodge in the amount of \$46,774.00 + HST.

**AND FURTHER** that Resolution No. 10(c)(ii)27/08/2021 is hereby rescinded. **CARRIED**

(iii) **Report and Resolution re: Tender for Paving**

**Res. No. 10(c)(iii)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**WHEREAS** the Town of Kearney sought Tenders for Hot Mix Paving;

**AND WHEREAS** two (2) quotes were received, as follows:

1. Fowler Construction Company \$45,562.40 + HST
2. Miller Paving \$71,400.00 + HST

**AND WHEREAS** the Operations Manager has reviewed the two Tenders;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney does hereby award the Tender for Hot Mix Paving to Fowler Construction Company in the amount of \$45,562.40 + HST. **CARRIED**

(iv) **Resolution re: Selection Team for:**

- a) Public Works Maintenance Worker

**Res. No. 10(c)(iv)(a)/17/09/2021 Paul Ziraldo, Liz Stermsek**

~~BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby appoints:~~  
Brenda Fraser; Councillor Ziraldo; and Scott McKay as members of the Selection Team for the  
Public Works Maintenance Worker position.

**CARRIED**

b) Transfer Station Attendant

**Res. No. 10(c)(iv)(b)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby appoints:  
Clerk Brenda Fraser; Scott McKay; and Carol Ballantyne as members of the Selection Team for  
the Transfer Station Attendant position.

**CARRIED**

(d) **Administration**

(i) **Discussion and Resolution re: Voting Method for 2022 Municipal Election**

**Res. No. 10(d)(i)/17/09/2021 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney has considered,  
for the 2022 Municipal Election, the alternative voting methods of: Telephone voting; Internet  
voting; and Vote-by-Mail; and determines Vote-by-Mail.

**CARRIED**

(ii) **Resolution re: Municipal Recognition of September 30<sup>th</sup> as National Day for  
Truth and Reconciliation: Amo – What Municipal Leaders Can Do; AMO –  
Resources on the TRC Calls to Action**

**Res. No. 10(d)(ii)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**WHEREAS** the Truth and Reconciliation Commission (TRC) released its final report on June 2,  
2015, which included 94 Calls to Action to redress the legacy of residential schools and  
advance the process of Canadian reconciliation;

**AND WHEREAS** the recent discoveries of remains and unmarked graves across Canada have  
led to increased calls for all levels of government to address the recommendations in the TRC's  
Calls to Action;

**AND WHEREAS** all Canadians and all orders of government have a role to play in  
reconciliation;

**AND WHEREAS** Recommendation #80 of the TRC called upon the federal government, in  
collaboration with Aboriginal peoples, to establish, as a statutory holiday, a 'National Day for  
Truth and Reconciliation' to ensure that public commemoration of the history and legacy of  
residential schools remains a vital component of the reconciliation process;

**AND WHEREAS** the Federal Government has announced September 30<sup>th</sup>, 2021, as the first  
National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney  
does hereby commit to recognizing September 30<sup>th</sup>, 2021 as the National Day for Truth and  
Reconciliation (National Orange Shirt Day) by sharing the stories of residential school  
survivors, their families and communities, and by flying the "Every Child Matters" orange flag  
for the month of September.

**CARRIED**

(e) **Treasury**

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

**Res. No. 10(e)(i)/17/09/2021 Paul Ziraldo, 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 #31050 to #31050  
in the total amount of \$410,559.19.

**CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting  
on September 17, 2021 – Report only.**

(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) **Sand Lake Log Church Board re: Request to waive fee**

**Res. No. 11(a)(i)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Sand Lake Log Church Board, authorizes waiving the Transfer Station fee to deposit the old shingles from the Sand Lake Log Church roof repair. **CARRIED**

(ii) **City of Stratford request for support re: Phase Out Ontario's Gas Plants**  
**Res. No. 11(a)(ii)/17/09/2021 Paul Ziraldo, Liz Stermsek**

**WHEREAS** the Earth is on course toward a climate crisis, unless timely actions are taken to

minimize the greenhouse effect;

**AND WHEREAS** the use of fossil fuels is a major contributor to the greenhouse effect because of the increasing amount of heat trapping carbon dioxide in the atmosphere;

**AND WHEREAS** some Municipalities have declared a "Climate Emergency" and are considering a Carbon Net Zero goal to be achieved by 2050;

**AND WHEREAS** the 2050 Carbon Net Zero goal has been, and is being, adopted by countries and governments at all levels, as well as by industries, social and economic institutions;

**AND WHEREAS** the most effective way of achieving that goal is through initiatives in reducing carbon footprint and greening;

**AND WHEREAS** in the Province of Ontario, Electricity generation fueled by Natural Gas contributes substantially to the province's carbon footprint and provides an opportunity for rapid reduction of carbon dioxide emissions through the elimination of this form of generation;

**AND WHEREAS** in the interest of environmental and economic wellbeing for the province of Ontario, immediate action to replace the gas generators by sustainable zero carbon alternatives should be undertaken;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney appeals to the Government of Ontario to immediately take steps to replace gas powered electrical generation with non-carbon based sustainable alternatives;

**AND FURTHER** that this Resolution be circulated to AMO for their consideration of support.

**CARRIED**

(b) **Information Items**

(i) **Kearney Watershed Environmental Foundation re: August 2021 Newsletter**

12. **Other Business – Nil**

13. **Closed Session**

**Res. No. 13(a)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**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 2:09 p.m. for discussion regarding:

(a) *a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.*

**CARRIED**

**Res. No. 13(b)/17/09/2021 Paul Ziraldo, 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 3:00 p.m.

**CARRIED**

14. **Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session which included the following Resolutions:

**Res. No. 14(a)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Kearney Community Centre Building Advisory Committee authorizes a Budget of \$68,000.00 to be used for professional guidance in determining the future of Kearney's Municipal Buildings;

**AND FURTHER** given that Larocque Elder Architects completed a Kearney Community Centre Renovation Site Plan, Building Condition Assessment, Hazardous Substance Survey and Site Evaluation Matrix in 2020, Council deems it expedient to waive the requirements of the purchasing policy and extend the scope of work from that project to include professional guidance from Larocque Elder Architects to conduct:

- A Site Evaluation and Selection Study for a new free standing Municipal Office
- A Community Improvement Plan
- Public Presentations (including disbursements)

**CARRIED**

~~Res. No. 14(b)/17/09/2021 Paul Ziraldo, Liz Stermsek~~

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney waives the requirement of the Purchasing By-law and authorizes Staff to engage the services of Larocque Elder Architects to provide drawings, including a Tender, for repairs to the Kearney Community Centre kitchen;

**AND FURTHER** actual repair work to be Tendered in accordance with the Towns By-law.

**CARRIED**

**Res. No. 14(c)/17/09/2021 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with Council discussion, directs Staff to apply for available funding through the:

- Ontario Trillium Foundation Community Building Fund - Capital Stream;
- Rural Economic Development Program;
- NOHFC Enhance Your Community Stream;
- FedNor Canada Community Revitalization Fund;
- MMAH Municipal Modernization Program – Intake 3 Review Stream and Implementation

**CARRIED**

**15. Confirming By-Law**

**Res. No. 15/17/09/2021 Liz Stermsek, Paul Ziraldo**

**By-law No. 2021-39**, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on September 17<sup>th</sup>, 2021, be read a first, second and third time and numbered 2021-39 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. 16/17/09/2021 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 3:07 p.m. to meet again at 1:00 p.m. on October 8<sup>th</sup>, 2021 in the Council Chambers, Kearney, Ontario.

**CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk