



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, November 19th, 2021

1:00 p.m.

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

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Brian Horsman, Chief Building Official
Scott McKay, Public Works Foreman (virtual)
Leslie Harvie, Communications and Public Relations Coordinator

1. **Call the Meeting to Order**

Res. No. 1/19/11/2021 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on November 19th, 2021 be declared open and called to order at 1:03 p.m. **CARRIED**

2. **Approval of Agenda**

Res. No. 2/19/11/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on October 29th, 2021 be adopted as amended.

ADD 3(b) Resolution re: Appointment of Deputy Mayor **CARRIED**

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

Mayor Ballantyne declared a pecuniary interest with regard to: Request for donation for Lions Christmas Telethon, the reason being - Member of Kearney's Lions Club.

(b) **Resolution re:** Appointment of Deputy Mayor

Res. No. 3(b)/19/11/2021 Liz Stermsek, Cheryl Philip

WHEREAS on September 18, 2020, Council passed By-law No. 2020-41 being a By-law to Govern the Calling, Place and Proceedings of Meetings of Council and Committees;

AND WHEREAS in accordance with Section 8.4 of that By-law, "Council shall appoint a Deputy Mayor(s) by Resolution";

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney does hereby appoint Councillor M. Rickward as Deputy Mayor, on an "as required" basis.

CARRIED

4. **Delegations/Presentations**

(a) **Delegations**

(i) **S.Sgt. LaLonde, Almaguin Highlands OPP Detachment re:** Annual Report

S. Sgt. LaLonde provided a summary of the calls for service for Kearney and noted the 'new' Police Services Board being put in place in 2022.

At this point, Mayor Ballantyne left her position as Chairperson of this meeting. Time: 1:25 p.m.

(ii) **Blair Ballantyne, President, Kearney Lions Club re:** Request for donation for Lions Christmas Telethon

Lions President Blair Ballantyne approached Council to request financial support for the 2021 Lions Christmas Telethon. The following Resolution resulted.

Res. No. 3(b)/19/11/2021 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Kearney Lions Club, authorizes a donation in the amount of \$1,000, to the 2021 Lion's Children's Christmas Telethon, in an effort to ensure that the less fortunate in our Community can enjoy a Merry Christmas. **CARRIED**

At this time, Mayor Ballantyne resumed her position as Chairperson of the meeting. Time: 1:29 p.m.

(b) Presentations

- (i) Chris Bevan, Kennedy Insurance Brokers re: 2022 Municipal Insurance**
Mr. Bevan provided comments regarding our insurance coverage, including the renewal pricing.

Res. No. 4(b)(i)/19/11/2021 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes renewal of the 2020 Municipal Insurance Policy with Kennedy Insurance Brokers Inc. / Frank Cowan Company, in the amount of \$126,435.00 plus applicable taxes. **CARRIED**

5. Minutes

(a) Adoption of Minutes

Res. No. 5(a)(i)/19/11/2021 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 – October 29th, 2021; Public Meeting Draft Minutes – October 29th, 2021; Special Meeting draft Minutes – November 8th, 2021; and Special Meeting Draft Minutes – November 15th, 2021** **CARRIED**

(b) Receive Committee Minutes

Res. No. 5(b)(i)-(ii)/19/11/2021 Paul Ziraldo, Mike Rickward

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 – October 27th, 2021**
(ii) Kearney Community Centre Building Advisory Committee re: Minutes – November 3rd, 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) Ontario Land Tribunal re: Decision – Case No. PL190404 – Heise – Information only**

(c) Operations

- (i) Transfer Station Report – for the period October 28, 2021 to November 16, 2021 – Report only.**

(ii) Report and Resolution re: Hwy 518 snow removal operations

Res. No. 10(c)(ii)/19/11/2021 Mike Rickward, Liz Stermsek

WHEREAS the MTO contractor plowing Hwy 518 has, in the past, also cleared the small portion of Hwy 518 within Kearney's boundaries;

AND WHEREAS a change in 2012 in the MTO winter maintenance contract, resulted in the discontinuation of this winter maintenance service for Kearney;

AND WHEREAS an opportunity to negotiate this previous service has arisen;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes Staff to approach the current MTO contractor to discuss reinstating a winter maintenance service agreement for the small section of Hwy 518 within the Town of Kearney. **CARRIED**

(iii) Report and Resolution re: Ahola's Road snow removal operations

Res. No. 10(c)(iii)/19/11/2021 Paul Ziraldo, Mike Rickward

WHEREAS Staff have identified the lack of use of a portion of Ahola's Road;

AND WHEREAS the plowing of this portion of road accounts for wear and tear on the Town vehicle, extra working time and the application of sand;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to _____ **DEFERRED**

(iv) **Report and Resolution re:** Echo Ridge /Lawson/Sunrise Intersection

Res. No. 10(c)(iv)/19/11/2021 Mike Rickward, Cheryl Philip

WHEREAS a concerned citizen has requested additional traffic control at the intersection of Echo Ridge Road, Lawson Drive and Sunrise Drive;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to ask our engineers to include this intersection in their study and make recommendations.

CARRIED

(v) **Discussion and Direction re:** 33 Regent Street

Council directed Staff to have a building contractor assess the condition of the roof where the tree branch made contact.

(d) Administration

(i) **Letter and Resolution re:** Applicants for Kearney & Area Public Library Board

Res. No. 10(d)(i)/19/11/2021 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of the Librarian, appoints Shawn Armstrong-Quenneville, Anne Dault and Iris Ferguson as members for the Kearney and Area Public Library Board. **CARRIED**

(ii) **Discussion and Resolution re:** Christmas Lights Contest

Res. No. 10(d)(ii)/19/11/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports holding a 2021 Kearney Christmas Lights Contest;

AND FURTHER prizes will be offered in the following amounts:

1st Prize \$75.00

2nd Prize \$50.00

3rd Prize \$25.00

AND FURTHER Council appoints Councillor Rickward and Heidi, L. Stermsek and Stacey, and Carol and Blair Ballantyne as judges for the 2021 Christmas Lights Contest.

AND FURTHER judging will take place on December 8th, 2021.

CARRIED

(iii) **Discussion and Resolution re:** A visit from Santa / Christmas Tree Lighting

Res. No. 10(d)(iii)/19/11/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney welcomes this years Visit from Santa on Saturday, December 11, 2021, beginning at 2 p.m.;

AND FURTHER Staff to advertise his path through Town via our Website, Electronic Sign and posters;

AND FURTHER our Christmas Tree Lighting to follow Santa's visit, scheduled to take place at 4:30 p.m. at Mirror Bay.

CARRIED

(e) Treasury

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

Res. No. 10(e)(i)/19/11/2021 Mike Rickward, Cheryl Philip

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 #31153 to #31240 in the total amount of \$195,018.75.

CARRIED

(f) Fire and Emergency Services

(i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on November 19, 2021 – **Report only.**

(ii) **Report and Resolutions re:** New Firefighters

Res. No. 10(f)(ii)(a)/19/11/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Matthew Melo to the Kearney Fire and Emergency Services Department, as volunteer firefighters/first responders, subject to the conditions agreed to in the United Food and Commercial Workers Collective Agreement.

CARRIED

Res. No. 10(f)(ii)(b)/19/11/2021 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Malcolm Barlow to the Kearney Fire and Emergency Services Department, as volunteer firefighters/first responders, subject to the conditions agreed to in the United Food and Commercial Workers Collective Agreement.

CARRIED

Res. No. 10(f)(ii)(c)/19/11/2021 Paul Ziraldo, Mike Rickward

BE IT RESOLVED that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Jordan Leeder to the Kearney Fire and Emergency Services Department, as volunteer firefighters/first responders, 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 focused on access to the Seniors Room being exempt from pre-scheduling a time, as well as the Staffing requirements that would be needed.

11. **Correspondence**

(a) **Action Items**

(i) **Village of Burk's Falls re: Supporting Start Up Cost to Bring Physiotherapy to Almaguin Highlands**

Res. No. 11(a)(i)/19/11/2021 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in response to the request from the Village of Burk's Falls, authorizes payment in the amount of **\$606.81** to support a physiotherapist relocating to Burk's Falls and opening a practice in the Burk's Falls Medical Building. **DEFERRED**

(ii) **CUPE re: Concerns with OMERS' investment performance**

Res. No. 11(a)(ii)/19/11/2021 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney calls for an immediate, comprehensive and independent third-party expert review of OMERS' investment performance and practices over the past ten years, conducted by the OMERS Pension Plan's sponsors and stakeholders;

AND FURTHER such a review would, at a minimum:

- a) Compare OMERS plan-level, and asset class-level performance to other comparable defined benefit pension plans and funds, OMERS internal benchmarks and market-based benchmarks;
- b) Examine OMERS decision-making processes around the timing of various investment decisions;
- c) Assess the risk management policies and protocols that were in place and determine if they were followed and/or if they were sufficient to protect the plan from undue risk;
- d) Assess whether the disclosures provided to the OMERS Administrative and Sponsorship Boards were sufficient evidence to allow the Boards to respond appropriately and in a timely manner;
- e) Examine executive compensation, investment fees and investment costs at OMERS in comparison to other major defined benefit pension plans and funds;
- f) Examine other relevant issues identified by the third-party expert review;
- g) Make recommendations for changes at OMERS to ensure stronger returns moving forward;
- h) Issue their final report and recommendations in a timely manner;
- i) Publicly release its full report and recommendations to ensure that it is available to OMERS sponsors, stakeholders and plan members;

AND FURTHER that Council further calls on the OMERS Administrative Corporation to:

- (i) Provide all requested data, documentation and information required of the review panel to fulfill its mandate;
- (ii) Establish a step-by-step plan, with OMERS sponsors and stakeholders, to implement any recommendations set out in the review report. **DEFEATED**

(iii) **Town of LaSalle re: COVID-19 Testing Requirement at Land Border**

Res. No. 11(a)(iii)/19/11/2021 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the Town of LaSalle in requesting that the Federal Government remove the requirement for Canadian Travelers to be tested for COVID-19 when using a land border crossing into the United States and then returning to Canada after the November 8, 2021 re-opening. **CARRIED**

(b) **Information Items**

- (i) **Almaguin Highlands Health Council re: Draft Minutes – November 5, 2021; Key Areas of Focus & Progress – November 2021 – For Information only.**
- (ii) **North Bay Parry Sound District Health Unit re: Public Health Funding for 2022 - For Information only.**
- (iii) **Kearney Watershed Environmental Foundation re: October 2021 Newsletter - For Information only.**

12. **Other Business – Nil**

13. Closed Session

Res. No. 13(a)/19/11/2021 Cheryl Philip, 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 3:25 p.m. for discussion regarding:

(a) *labour relations or employee negotiations (x5)*

CARRIED

Res. No. 13(b)/19/11/2021 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 4:57 p.m.

CARRIED

14. Business Arising from Closed Session

Res. No. 14/19/11/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney does hereby go past the four (4) hour curfew.

CARRIED

Res. No. 14(a)/19/11/2021 Mike Rickward, Paul Ziraldo

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the Job Description for Administrative Assistant, as attached hereto.

Recorded Vote Requested by: Cheryl Philip

PHILIP, Cheryl Yes

RICKWARD, Mike Yes

STERMSEK, Liz Yes

ZIRALDO, Paul Yes

BALLANTYNE, Carol, Mayor Yes

CARRIED

Res. No. 14(b)/19/11/2021 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the Job Description for Deputy Clerk, as attached hereto.

Recorded Vote Requested by: Cheryl Philip

PHILIP, Cheryl No

RICKWARD, Mike Yes

STERMSEK, Liz Yes

ZIRALDO, Paul No

BALLANTYNE, Carol, Mayor Yes

CARRIED

Res. No. 14(c)/19/11/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the Job Description for Deputy Treasurer, as attached hereto.

Recorded Vote Requested by: Cheryl Philip

PHILIP, Cheryl No

RICKWARD, Mike Yes

STERMSEK, Liz Yes

ZIRALDO, Paul No

BALLANTYNE, Carol, Mayor Yes

CARRIED

15. Confirming By-Law

Res. No. 15/19/11/2021 Mike Rickward, Paul Ziraldo

By-law No. 2021-45, Being a By-law to confirm the proceedings of Council at its Special Meeting held on November 1st, 2021; at its Special Meeting held on November 15th, 2021; and at its Regular Meeting held on November 19th, 2021, be read a first, second and third time and numbered 2021-45 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. 16/19/11/2021 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 5:06 p.m. to meet again at 2:00 p.m. on November 22nd, 2021 in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk