



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Friday, February 25th, 2022

1:00 p.m.

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

Regrets: Councillor Mike Rickward

Staff Present: Brenda J. Fraser, CAO | Clerk | Treasurer
Brian Horsman, Chief Building Official
Matt Clouthier, Deputy Chief Building Official
Paul Schaefer, Fire Chief (Virtual)
Caitlin Deevey, By-law Enforcement Officer (Virtual)

1. **Call the Meeting to Order**

Res. No. 1/25/02/2022 Liz Stermsek, Paul Ziraldo

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on February 25th, 2022 be declared open and called to order at 1:00 p.m. **CARRIED**

2. **Approval of Agenda**

Res. No. 2/25/02/2022 Liz Stermsek, Cheryl Philip

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on February 25th, 2022 be adopted as circulated. **CARRIED**

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

4. **Delegations/Presentations - Nil**

5. **Minutes**

(a) **Adoption of Minutes**

Res. No. 5(a)(i)/25/02/2022 Paul Ziraldo, 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* – February 4th, 2022 **CARRIED**

(b) **Receive Committee Minutes**

(i) **Kearney Community Centre Building Advisory Committee** – Minutes, January 12th, 2022; *Draft Minutes*, January 24th, 2022.

Res. No. 5(b)(i)/25/02/2022 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) **Kearney Community Centre Building Advisory Committee** re: Minutes – February 7th, 2022 **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**

(i) **Report re: Building Activity for 2021**

Res. No. 10(a)(i)/25/02/2022 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney acknowledges receipt of the Building Activity Report from DCBO Matthew Clouthier. **CARRIED**

(ii) **Report and Resolution re: E-Permitting**

Res. No. 10(a)(ii)/25/02/2022 Liz Stermsek, Paul Ziraldo

WHEREAS Local Authority Services (LAS) is the business services arm of the Association of Municipalities of Ontario (AMO) and is mandated to provide valuable programs and services to Ontario's municipalities and the broader public sector. On behalf of its partner organizations, LAS facilitates a competitive solicitation and contracting process based on the needs of municipalities;

AND WHEREAS LAS offers competitively-priced and sustainable business services to Ontario municipalities and the broader public sector;

AND WHEREAS the Municipal Property Assessment Corporation (MPAC) is an independent, not-for-profit corporation funded by all Ontario municipalities;

AND WHEREAS MPAC is responsible for ingesting building permit information in order to deliver timely new assessment to Ontario municipalities to support the generation of new tax revenue;

AND WHEREAS AMO/LAS and MPAC partnered to search for a single, digital, end to end electronic permitting (e-permitting) solution through LAS' RfP process;

AND WHEREAS AMO and MPAC are seeking expressions of interest to participate in a one-year pilot project with e-permitting provider 'Cloudpermit', to demonstrate the benefits of e-permitting in Ontario;

AND WHEREAS municipalities that are selected for the pilot project will benefit by receiving six (6) months of service with the municipality also responsible for six (6) months of costs for participating in the pilot project, using the Cloudpermit system;

AND WHEREAS the Town of Kearney is committed to digitizing processes to increase efficiencies of Kearney's administrative functions, including e-permitting;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports:

- continuing to support the requirements set in the Ontario Building Code Act to ensure adequate measures are in place to administer the Ontario Building Code;
 - 1) authorizing the Chief Building Official to proceed with involvement in the AMO/LAS/-MPAC pilot project, including the implementation of 'Cloudpermit' E-Permitting Software; and
 - 2) delivering a project commitment to AMO/LAS with funding dollars being committed to support this pilot project involvement.

CARRIED

(b) **Planning**

(i) **Report and Resolution re: Echo Ridge Road deviations**

Res. No. 10(b)(i)/25/02/2022 Paul Ziraldo, Liz Stermsek

WHEREAS Council has received a request from the property owner, to transfer to the Town, ownership of the portion of Echo Ridge Road that traverses his property;

AND WHEREAS there are costs associated with this request;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs as follows:

- Survey costs to be borne by:
 - Applicant
 - Council via our Engineer of Record
- Value of the land to be determined by:
 - By-law No. 2021-25 (Tariff of Fees)
 - Appraisal
- Legal fees to be borne by:
 - Applicant
 - Council

WITHDRAWN

(c) **Operations** - Nil

(d) **Administration**

(i) **By-law No. 2022-xx re: To prohibit depositing snow and ice on highways within the Town**

Res. No. 10(d)(i)/25/02/2022 Liz Stermsek, Cheryl Philip

By-law No. 2022-08, Being a By-law to Prohibit Deposit of Snow and Ice on Highways within the Corporation of the Town of Kearney, be read a first, second and third time and numbered 2022-08 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

(ii) **Resolution re: Regular Council Meeting 2022 dates**

Res. No. 10(d)(ii)/25/02/2022 Liz Stermsek, Cheryl Philip

WHEREAS Section 238 (2) of the Municipal Act, S.O. 2001, as amended, states that “Every council and local board shall pass a Procedure By-law for governing the calling, place and proceedings of meetings”;

AND WHEREAS Section 5.2.1 of By-law No 2022-03, the Procedure By-law for the Town of Kearney, states “Regular Meetings of Council shall be held in the Council Chambers, at 8 Main Street, Kearney, every three weeks on Wednesdays;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby gives notice that the Regular Council Meetings shall be held on the following dates in 2022:

March 16; April 6; April 27; May 18; June 8; June 29; July 20; August 10; August 31; September 21; October 12; November 2; November 23; and, December 14. **CARRIED**

(e) **Treasury**

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

Res. No. 10(e)(i)/25/02/2022 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 #31452 to #31502 in the total amount of \$271,376.88. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting on February 25, 2022 – Report only.**

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

(h) **Council Presentations**

(i) **Mayor Ballantyne, discussion re: Public Access to Municipal Buildings**

Res. No. 10(h)(i)/25/02/2022 Liz Stermsek, Cheryl Philip

WHEREAS on February 17, 2022, the Provincial Government accelerated their approach to reopening the economy of Ontario;

AND WHEREAS capacity limits are being removed where proof of vaccination is required and people can maintain two metres of physical distancing;

AND WHEREAS use of masks will be optional;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that, effective March 1, 2022, the Kearney Community Centre, Municipal Offices and Library will open to the public. **CARRIED**

11. Correspondence

(a) **Action Items**

(i) **Village of Burk’s Falls re: 2020 Contribution towards AHHC2020 Deficit**

Res. No. 11(a)(i)(a)/25/02/2022 Paul Ziraldo, Liz Stermsek

WHEREAS Council has received an Invoice in the amount of \$3,300.00 from the Village of Burk’s Falls, for a 2022 contribution towards the 2020 AHHC deficit;

AND WHEREAS in 2020, Council resolved that they would determine on an annual basis, if they would contribute additional funds;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that they will support the 2022 invoice in the amount of \$3,300.00. **CARRIED**

Res. No. 11(a)(i)(b)/25/02/2022 Liz Stermsek, Cheryl Philip

WHEREAS Council has received an Invoice in the amount of \$500.00 from the Village of Burk’s Falls, for 2023 Ontario Telemedicine Services;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the payment of this Invoice for the OTN Contribution. **CARRIED**

(ii) **Township of Perth South re: ‘Catch and Release’ Justice**

Res. No. 11(a)(ii)/25/02/2022 Paul Ziraldo, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the City of Sarnia’s correspondence sent to the Federal and Provincial governments, requesting meaningful improvements to the current state of “catch and release” justice in the Ontario legal system. **CARRIED**

(b) **Information Items**

(i) **Almaguin Highlands Health Centre re: Draft Minutes – February 4, 2022**

12. Other Business – Nil

13. **Closed Session**

Res. No. 13(a)/25/02/2022 Liz Stermsek, Cheryl Philip

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 1:43 p.m. for discussion regarding:

(a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

CARRIED

Res. No. 13(b)/25/02/2022 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 2:10 p.m.

CARRIED

14. **Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session.

15. **Confirming By-Law**

Res. No. 15/25/02/2022 Paul Ziraldo, Liz Stermsek

By-law No. 2022-09, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on February 25th, 2022, be read a first, second and third time and numbered 2022-09 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. 16/25/02/2022 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 2:12 p.m. to meet again at 1:00 p.m. on Wednesday, March 16, 2022, in the Council Chambers, Kearney, Ontario.

CARRIED

THE CORPORATION OF THE
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk