



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Wednesday, April 6th, 2022

1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Cheryl Philip (virtual) and Mike Rickward

Regrets: Liz Stermsek and Paul Ziraldo

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Cindy Filmore, Deputy Clerk
Brian Horsman, Chief Building Official
Scott McKay, Public Works Working Foreperson

1. **Call the Meeting to Order**

Res. No. 1/06/04/2022 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on April 6th, 2022 be declared open and called to order at 1:00 p.m. **CARRIED**

Moment of Silence to honour the memory of John 'Andrew' Miller Nixon.

2. **Approval of Agenda**

Res. No. 2/06/04/2022 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on April 6th, 2022 be adopted as amended.

ADD 10(g)(i) Resolution re: Kearney Community Centre Project

DEFER 10(d)(i) Report and Resolution re: KCC WiFi

CARRIED

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

Councillor Mike Rickward declared a pecuniary interest with respect to Cheque # 31549, the reason being: Cheque to our family-owned business.

4. **Delegations/Presentations** – Nil

5. **Minutes**

(a) **Adoption of Minutes**

Res. No. 5(a)(i)-(ii)/06/04/2022 Cheryl Philip, 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) Public Meeting, *Draft Minutes* – March 16th, 2022

(ii) Regular Meeting, *Draft Minutes* – March 16th, 2022

CARRIED

(b) **Receive Committee Minutes**

Res. No. 5(b)(i)/06/04/2022 Cheryl Philip, Mike Rickward

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 – April 4th, 2022

CARRIED

6. **Committee Resolutions for Consideration**

(a) Kearney Community Centre Building Advisory Committee

(i) **Resolution re:** Gym furnace

Res. No. 6(a)(i)/06/04/2022 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the recommendation of the Kearney Community Centre Building Advisory Committee to not repair the gymnasium furnace. **CARRIED**

(ii) **Resolution re: Kitchen materials/appliances/fixtures**

Res. No. 6(a)(ii)/06/04/2022 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the recommendation of the Kearney Community Centre Building Advisory and authorizes Staff to remove, as soon as possible, as much cabinetry, equipment and fixtures from the KCC kitchen/shower rooms area, in advance of the Tender being let for the KCC kitchen/HVAC renovation.

CARRIED

(iii) **Resolution re: Surplus equipment disposal process**

Res. No. 6(a)(iii)/06/04/2022 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the recommendation of the Kearney Community Centre Building Advisory Committee to prepare a detailed list (with photos) of items to be disposed of from the KCC kitchen/shower area;

AND FURTHER, prior to being included in the list for disposal, that our User Groups and Service Clubs be contacted to claim previously donated items from the renovation area, that can continue to be used by the group or can be returned to the donor;

AND FURTHER that surplus items shall be offered for sale by means of a silent Auction;

AND FURTHER that any item(s) left remaining shall be sold for scrap, placed in our recycling or donated to Habitat for Humanity;

AND FURTHER that an Open House be scheduled for a Saturday and for an evening, for those interested in acquiring items.

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** - Nil

(b) **Planning**

(i) **By-law No. 2022-20 re: To Regulate the Use of Land, Location and Use of Buildings or Structures within the Town of Kearney**

Res. No. 10(b)(i)/06/04/2022 Mike Rickward, Cheryl Philip

BY-LAW No. 2022-20 Being a By-law to Regulate the Use of Land, Location and Use of Buildings or Structures within the Town of Kearney, be read a first, second and third time and numbered 2022-20 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) **Report and Resolution re: Purchase of Shore Road Allowance (Dyke)**

Res. No. 10(b)(ii)/06/04/2022 Cheryl Philip, Mike Rickward

WHEREAS a request to purchase the Shore Road Allowance in front of their property at 804 Grass Lake Road has been received from the property owner;

AND WHEREAS this request does not appear to impact adjoining land owners nor municipal access points;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby supports in principle, the purchase of the Shore Road Allowance by the adjacent land owner, Clifton and Shirley Dyke.

CARRIED

(iii) **Report and Resolution re: Purchase of Shore Road Allowance (Boverhof)**

Res. No. 10(b)(iii)/06/04/2022 Mike Rickward, Cheryl Philip

WHEREAS a request to purchase the Shore Road Allowance in front of their property at 983 Clam Lake Road has been received from the property owner;

AND WHEREAS this request does not appear to impact adjoining land owners nor municipal access points;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby supports in principle, the purchase of the Shore Road Allowance by the adjacent land owner, Mr. and Mrs. Boverhof.

CARRIED

(c) **Operations**

(a) **Transfer Station Report** – March 16, 2022 to March 29, 2022 – **Report only.**

(d) **Administration**

(i) **Report and Resolution re: KCC Wifi** - **DEFERRED**

- (ii) **By-law No. 2022-xx re:** To authorize the signing of an Agreement with Next Generation 9-1-1 Authority Service

Res. No. 10(d)(ii)/06/04/2022 Mike Rickward, Cheryl Philip

By-law No. 2022-15, Being a By-law to authorize the execution of an Agreement between the Corporation of the Town of Kearney and Bell Canada for the provision of Next Generation 9-1-1 Service, be read a first, second and third time and numbered 2022-15 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) **By-law – Municipal Enforcement Report re:** First Quarter – **Report only.**

(e) **Treasury**

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

Res. No. 10(e)(i)/06/04/2022 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 #31545 to #31575 in the total amount of \$60,615.54.

CARRIED

(f) **Fire and Emergency Services**

- (i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on April 6, 2022 – **Report only.**

(g) **Facilities and Buildings**

- (i) **Resolution re:** Kearney Community Centre Project

Res. No. 10(g)(i)/06/04/2022 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the application to NOHFC for the Kearney Community Centre Rehabilitation Project and confirms their commitment to cover their contribution in the amount of \$1,260,097 along with any cost overruns that may result.

CARRIED

(h) **Council Presentations**

- (i) **Mike Rickward, Discussion re:**

a) **multi use trail** – Kalio Road to Crown land

Councillor Rickward provided information regarding improvements to this portion of the Trail for emergency access and to support access to the Crown Land for star gazing.

b) **Regatta** - fireworks; road closure; available funds for 2022; swim instructors Council supported the proposed organizational plans for the upcoming Regatta, shared by Councillor Rickward.

c) **Gray Jay Lane** – ownership; insurance

Council requested a Staff report to address the length of this road, ownership of the road, and liability issues regarding winter maintenance.

11. Correspondence

(a) **Action Items**

- (i) **Village of Burk's Falls re:** Contribution towards the Almaguin Highlands Health Centre Deficit

Res. No. 11(a)(i)/06/04/2022 Mike Rickward, Cheryl Philip

WHEREAS Council has received a second Invoice in the amount of \$2,646.00 from the Village of Burk's Falls, for a second 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;

AND WHEREAS in February 2022 Council contributed \$3,300 toward the AHHC 2020 deficit, as well as a \$500.00 contribution toward the 2023 Telemedicine Services;

AND WHEREAS a \$600 contribution toward the rent for physiotherapist to relocate to Burk's Falls was provided in December 2021;

AND WHEREAS, since 2019, the Town of Kearney has contributed \$11,951.00 to the Village of Burk's Falls;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that we will defer this until we have our budget discussion.

CARRIED

- (ii) **Keven Beaucage re: Photocopying Invoice to H. White Memorial Legion Brance**
276

Res. No. 11(a)(ii)/06/04/2022 Cheryl Philip, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney will bring our Tarriff of Fees to the next meeting and discuss costs for different user groups. **CARRIED**

- (iii) **Municipality of South Huron re: Firefighter Certification**

Res. No. 11(a)(iii)/06/04/2022 Mike Rickward, Cheryl Philip

WHEREAS Council has reviewed the correspondence from AMO dated February 25, 2022 and attached hereto, with regard to Firefighter Certification;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney support the position of AMO;
AND FURTHER that a copy of this Resolution be sent to AMO and the Association of Fire Chiefs. **CARRIED**

(b) Information Items

- (i) **Almaguin Highlands Health Centre re: Draft Minutes – March 14, 2022; Update from Almaguin Highlands Health Council – Report only.**
- (ii) **District of Parry Sound Social Services Administration Board re: CAO Report – March 2022 – Report only.**
- (iii) **Muskoka Algonquin Healthcare re: Applications Open for MAHC Board of Directors – Information only.**

12. **Other Business – Nil**

13. **Closed Session**

Res. No. 13(a)/06/04/2022 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 2:03 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)/06/04/2022 Mike Rickward, Cheryl Philip

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 2:16 p.m. **CARRIED**

14. **Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session.

15. **Confirming By-Law**

Res. No. 15/06/04/2022 Cheryl Philip, Mike Rickward

By-law No. 2022-16, Being a By-law to confirm the proceedings of Council at its Public Meeting held on March 16th, 2022, and at its Regular Meeting held on April 6, 2022 be read a first, second and third time and numbered 2022-16 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. 16/06/04/2022 Mike Rickward, Cheryl Philip

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 2:18 p.m. to meet again at 1:00 p.m. on Wednesday, April 27, 2022, in the Council Chambers, Kearney, Ontario. **CARRIED**

THE CORPORATION OF THE
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk