



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Wednesday, May 18th, 2022

1:00 p.m.

Council Members Present: Mayor Carol Ballantyne
Councillors: Cheryl Philip (virtual – arrived 2:10 p.m.); Mike Rickward
and Liz Stermsek

Regrets: Councillor Paul Ziraldo

Staff Present: Brenda J. Fraser, CAO|Clerk|Treasurer
Cindy Filmore, Deputy Clerk (Virtual)
Leslie Harvie, Deputy Treasurer

1. **Call the Meeting to Order**

Res. No. 1/18/05/2022 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on May 18th, 2022 be declared open and called to order at 1:00 p.m. **CARRIED**

Moment of Silence to honour the memory of Lois Lahn, to honour the memory of Margaret Mayer and to honour the memory of Gwenn Faulkner.

2. **Approval of Agenda**

Res. No. 2/18/05/2022 Mike Rickward, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on May 18th, 2022 be adopted as amended.

DEFER 10(c)

Transfer Station Report

DEFER 10(d)(vi)

By-law No. 2022-xx re: Violence and Harassment Policy - updated

ADD 10(d)(vii)

Resolution re: Interest on 2022 Taxes

ADD 13(c)

Closed Session

Personal matters about an identifiable individual, including municipal or local board employees **CARRIED**

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

4. **Delegations/Presentations**

(a) **Delegations**

(i) **Al Bottomley re: Climate Change**

Mr. Bottomley, a member of the local Climate Action Group, outlined concerns regarding weather storms, discussed alternate technologies to eliminate the use of fossil fuels and recommended that Council take actions whenever possible to move away from using fossil fuels.

(ii) **Ami Gagne, Project Co-ordinator, Municipal Solutions re: Foodcycler**

Ms. Gagne introduced a Pilot Program being offered, that uses a Foodcycler Unit for composting food waste.

(b) **Presentations**

Heather Sadler, Ecovue Consultants re: Short Term Rentals

Ms. Sadler provided a brief recap of the 2021 report from EcoVue on Short Term Rentals, following by an overview of the options before Council.

Discussion of Council of Council resulted in the following Resolution.

Res. No. 4(b)(i)/18/05/2022 Liz Stermsek, Mike Rickward

WHEREAS on May 13, 2022, Council received a Report titled Short Term Rental Accommodations – OPA, ZBA & Licensing By-law, from our Planners Kent Randal and Sarah Bale;

~~AND WHEREAS~~ the report provides an overview of the draft amendments and draft Licensing By-law for consideration by Council prior to the documents moving to the statutory public meeting to take place on June 8th, 2022;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs our Planners and Staff to move forward with the proposed amendments to the Official Plan and to the Zoning By-law, as well as to the proposed draft Licensing By-law, following the proposed Public Meeting.

CARRIED

5. **Minutes**

(a) **Adoption of Minutes**

Res. No. 5(a)(i)-(ii)/18/05/2022 Mike Rickward, 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* – April 27th, 2022
- (ii) Public Meeting, *Draft Minutes* – April 27th, 2022

CARRIED

(b) **Receive Committee Minutes - Nil**

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) **By-law No. 2022-18 re: Zoning By-law Amendment RZ-01-22**

Res. No. 10(b)(i)/18/05/2022 Liz Stermsek, Mike Rickward

By-law No. 2022-18, Being a By-law under the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13. as amended, to amend By-law No. 2022-20, as amended, the Town of Kearney Zoning By-law, with respect to lands described as PT LT 12 CON 8, PROUDFOOT, KEARNEY, being all of the lands described in ARN 4918-030-001-51300, in the Geographic Township of Proudfoot, now in the Town of Kearney, be read a first, second and third time and numbered 2022-18 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

(c) **Operations**

- (i) **Transfer Station Report – DEFERRED**

(d) **Administration**

- (i) **Resolution re: Authorization to upgrade Road Allowance as multi-use trail.**

Res. No. 10(d)(i)/18/05/2022 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the request for the Algonquin West ATV Club to improve the unopened road allowance located between Lots 20 & 21, Concessions 14 & 13 in Bethune Township, subject to an agreement with the Town to address matters of maintenance upgrade, liability insurance, expenses, etc.

CARRIED

- (ii) **Resolution re: Statement of Concurrence for Telecommunications Tower**

Res. No. 10(d)(ii)/18/05/2022 Mike Rickward, Liz Stermsek

WHEREAS Spectrum Telecom Group Ltd. wishes to erect a 110-foot, self-support telecommunications tower on municipally owned lands located at 8 Main Street, Kearney being LOTS 2, 3, 4, 6 and Part Lot 5, Plan M10; Town of Kearney, District of Parry Sound. The proposed tower will support equipment necessary for the delivery of NETSPECTRUM fixed wireless broadband Internet services to the Municipality, residents, and business.

AND WHEREAS Spectrum Group is required, pursuant to Innovation, Science and Economic Development Canada (ISED) procedures, to consult with the local Land-Use Authority, being the Corporation of the Town of Kearney, and obtain a statement of concurrence before beginning construction activities.

AND WHEREAS the proposed tower structure is deemed to be in compliance with the Town of Kearney's Comprehensive Zoning By-Law No. 2022-20.

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Kearney hereby gives approval to the CAO|Clerk|Treasurer to prepare and issue a statement of concurrence to Spectrum Telecom Group for the proposed telecommunications tower to be constructed at 8 Main Street, the Kearney Community Centre.

DEFERRED

(iii) **By-law No. 2022--xx re: License Agreement for NETSPECTRUM Tower Res. No. 10(d)(iii)/18/05/2022 Mike Rickward, Liz Stermsek**
By-law No. 2022-19 Being a By-law to Authorize the Execution of an Agreement between the Corporation of the Town of Kearney and NETSPECTRUM (a division of Spectrum Telecom Group Ltd.), be read a first, second and third time and numbered 2022-19 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. **DEFERRED**

(iv) **Report re: Attendance at Fitness Classes – Report only.**

(v) **Bio (Joe Vella) and Resolution re: DSSAB Representative for Area 4 Res. No. 10(d)(v)/18/05/2022 Liz Stermsek, Mike Rickward**
WHEREAS Council previously passed a Resolution supporting the nomination of Delynne Patterson, to be our Area 4 representative on the Parry Sound District Social Services Administration Board (PSDSSAB);
AND WHEREAS Delynne Patterson has withdrawn her name as a possible representative;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports the nomination of Joseph Vella as a representative for Area 4 on the PSDSSAB;
AND FURTHER that Res. No. 10(d)(v)/10/12/2021 hereby be rescinded. **CARRIED**

(vi) **By-law No. 2022-xx re: Violence and Harassment Policy – updated – DEFERRED**

(vii) **Resolution re: Interest on 2022 Taxes Res. No. 10(d)(vii)/18/05/2022 Liz Stermsek, Mike Rickward**
WHEREAS Council previously determined to offer a '0% late payment penalty effective March 1, 2022, on current 2022 outstanding property taxes';
AND WHEREAS the ability to offer this relief resulted from the Province providing funding expressly related to COVID-19 expenses;
AND WHEREAS we have exhausted the COVID relief funding provided to the Town of Kearney;
NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that the penalty will be reinstated at the time of Final Tax Notice due date. **CARRIED**

(e) **Treasury**

(i) **Report and Resolution re: Payment Register Res. No. 10(e)(i)/18/05/2022 Mike Rickward, 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 #31640 to #31680 in the total amount of \$64,376.21. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting on May 18, 2022 – Report only.**

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

(h) **Council Presentations - Nil**

11. Correspondence

(a) **Action Items** - Nil

(b) **Information Items**

- (i) **Almaguin Highlands Health Centre – Draft Minutes – May 6, 2022 – Information only.**
- (ii) **District of Parry Sound Social Services Administration Board re: Chief Administrative Officer's Report – April 2022 – Information only.**
- (iii) **Joint Waste Management Committee re: Draft Minutes – April 27, 2022 – Information only.**

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)-(c)/18/05/2022 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 2:24 p.m. for discussion regarding:

- (a) ~~Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Roads Department~~
- (b) *A proposed or pending acquisition or disposition of land by the municipality or local board*
- (c) *Personal matters about an identifiable individual, including municipal or local board employees.*

CARRIED

Res. No. 13(d)/18/05/2022 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 3:48 p.m.

CARRIED

14. Business Arising from Closed Session

Mayor Ballantyne reported on matters discussed in Closed Session.

15. Confirming By-Law

Res. No. 15/18/05/2022 Liz Stermsek, Mike Rickward

By-law No. 2022-21, Being a By-law to confirm the proceedings of Council at its Public Meeting held on April 27th, 2022 and at its Regular Meeting held on May 18, 2022 be read a first, second and third time and numbered 2022-21 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. 16/18/05/2022 Liz Stermsek, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 3:50 p.m. to meet again at 10:00 a.m. on Monday, May 30, 2022, in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk