



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Wednesday, June 29<sup>th</sup>, 2022

1:00 p.m.

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

**Staff Present:** Brenda J. Fraser, CAO | Clerk | Treasurer  
Cindy Filmore, Deputy Clerk (Virtual)  
Leslie Harvie, Deputy Treasurer  
Brian Horsman, Chief Building Official  
Caitlin Deevey, By-law Enforcement Officer

1. **Call the Meeting to Order**

**Res. No. 1/29/06/2022 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on June 29<sup>th</sup>, 2022 be declared open and called to order at 1:04 p.m. **CARRIED**

2. **Approval of Agenda**

**Res. No. 2/29/06/2022 Cheryl Philip, Mike Rickward**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on June 29<sup>th</sup>, 2022 be adopted as amended.

**DEFER 10(c)(ii) By-law re: Agreement to upgrade Golf Club Cres and Maple Ridge Cres** **CARRIED**

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

4. **Delegations/Presentations**

(a) **Delegations**

(i) **Jocelyn Palm re: Near North Enviro Education Centre survey project – Regrets**

(b) **Presentations** – Nil

5. **Minutes**

(a) **Adoption of Minutes**

**Res. No. 5(a)(i)-(iv)/29/06/2022 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) Special Meeting, *Draft Minutes* – June 6<sup>th</sup>, 2022
- (ii) Regular Meeting, *Draft Minutes* – June 8<sup>th</sup>, 2022
- (iii) Public Meeting, *Draft Minutes* – June 8<sup>th</sup>, 2022 – Short Term Rentals
- (iv) Public Meeting, *Draft Minutes* – June 8<sup>th</sup>, 2022 – RZ-02-22
- (v) Special Meeting, *Draft Minutes* – June 17<sup>th</sup>, 2022

**CARRIED**

(b) **Receive Committee Minutes**

**Res. No. 5(b)(i)/29/06/2022 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney receive the following Advisory Committee Minutes:

(i) **Kearney Regatta Advisory Committee re: Minutes – May 31, 2022** **CARRIED**

6. **Committee Resolutions for Consideration**

(a) **Kearney Regatta Advisory Committee**

**Res. No. 6(a)/29/06/2022 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Regatta Advisory Committee authorizes payment of the following invoices:

<input checked="" type="checkbox"/> Lisa Lahn (Fish pond, sidewalk chalk, advertising)	\$ 83.50
<input checked="" type="checkbox"/> Donna Metzger (PA Sound System)	\$ 587.58
<input checked="" type="checkbox"/> Jacqueline Tumber (Kids games)	\$ 211.00

<input checked="" type="checkbox"/> Cameron of Lochiel (Piping and drumming parade)	\$ 450.00
<input checked="" type="checkbox"/> Reptile Adventure (Reptile Show)	\$ 310.75
<input checked="" type="checkbox"/> Joe Watt Trophy (Medal and Ribbons)	\$1,203.85
<input checked="" type="checkbox"/> Devvie Leis (Entertainment)	\$ 400.00
<input checked="" type="checkbox"/> AAA Events (Mascots)	\$ 850.00
<input checked="" type="checkbox"/> Petty Cash	\$1,250.00
<input checked="" type="checkbox"/> Country 102	\$ 226.00

**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) **Resolution re:** Amendments to the new Comprehensive Zoning By-law

**Res. No. 10(b)(i)/29/06/2022 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with Section 34(10.0.0.2) of the *Planning Act*, permit By-law No. 2022-23 as an amendment to the new Comprehensive Zoning By-law within the two-year amendment moratorium under Section 34(10.0.0.1) of the *Planning Act*. **CARRIED**

(ii) **By-law No. 2022-xx re:** To Amend Zoning By-law No. 2022-20 – 628 Grass Lake Road

**Res. No. 10(b)(ii)/29/06/2022 Mike Rickward, Paul Ziraldo**

**By-law No. 2022-23**, 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 15 CON 8 PROUDFOOT; KEARNEY, (628 Grass Lake Road), being all of the lands described in ARN 4918-030-001-58200, in the Geographic Township of Proudfoot, now in the Town of Kearney, be read a first, second and third time and numbered 2022-22 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** – June 10, 2022 to June 20, 2022 – **Report only.**

(ii) **By-law No. 2022-xx re:** Agreement to upgrade Golf Club Crescent and Maple Ridge Crescent **DEFERRED**

(iii) **Report and Resolution re:** Gravel Tender

**Res. No. 10(c)(iii)/29/06/2022 Paul Ziraldo, Liz Stermsek**

**WHEREAS** a Request for Tender for the Crushing, Screening and Stockpiling of Gravel was published to aid in obtaining gravel for the 2022/23 season;

**AND WHEREAS** two (2) quotations were received:

1. **AVCO Crushing @ \$23.90 per cu. m, plus taxes**

2. **Muskoka Rock @ \$8.45 per cu. m plus taxes**

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby awards the tender to: Muskoka Rock in the amount of \$8.45 per cu m + taxes.

**CARRIED**

(d) **Administration**

(i) **Resolution re:** Municipal Household Hazardous Waste Day

**Res. No. 10(d)(i)/29/06/2022 Liz Stermsek, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby directs Staff to engage the services of Brendar Environmental Inc. for the Municipal Household Hazardous Waste Day Event on Saturday, August 20th, 2022, at 149 King William Street, Kearney, from 9 a.m. to 2 p.m.;

**AND FURTHER** that Staff are authorized to enter into the necessary agreements in this regard.

**CARRIED**

(ii) **Resolution re:** Appointment Summer Students

**Res. No. 10(d)(ii)/29/06/2022 Mike Rickward, Cheryl Philip**

**WHEREAS** the Town has advertised for students to fill summer employment positions;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, approves the hiring of the following students for the summer of 2022:

Malcolm Barlow as Parks and Maintenance Student Position

Nicholas O'Hara as Parks and Maintenance Student Position

**CARRIED**

(iii) **Resolution re: Appointment of Public Works Maintenance Worker**  
**Res. No. 10(d)(iii)/29/06/2022 Paul Ziraldo, Liz Stermsek**  
**WHEREAS** the Town recently advertised an employment opportunity for a Public Works Maintenance Worker;

**AND WHEREAS** interviews were held by the Selection Team;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of the Selection Team, shall hire Kent Harvie in the position of Public Works Maintenance Worker, subject to successful post interview procedures.

**CARRIED**

(iv) **Municipal Law Enforcement Officer, Report and Resolution re: To Regulate Backyard Chickens**

**Res. No. 10(d)(iv)/29/06/2022 Mike Rickward, Paul Ziraldo**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney acknowledges receipt of the report from Municipal Law Enforcement Officer Caitlin Deevey regarding regulating backyard chickens.

**RECORDED VOTE** Requested by: Mayor Ballantyne

**PHILIP, Cheryl** Yes

**RICKWARD, Mike** Yes

**STERMSEK, Liz** Yes

**ZIRALDO, Paul** Yes

**BALLANTYNE, Carol** Yes

**CARRIED**

(v) **Resolution re: Draft Position Description**

**Res. No. 10(d)(v)/29/06/2022 Paul Ziraldo, Mike Rickward**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney accepts the Position Description attached hereto, for the position of Lead Hand.

**CARRIED**

(e) **Treasury**

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

**Res. No. 10(e)(i)/29/06/2022 Cheryl Philip, Mike Rickward**

**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 #31732 to #31810 in the total amount of \$414,621.25.

**CARRIED**

(ii) **Report and Resolution re: Annual Investment Report**

**Res. No. 10(e)(ii)/29/06/2022 Paul Ziraldo, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in accordance with By-law No. 2015-55 (Municipal Investment Policy), acknowledges receipt of the Annual Investment Report, attached hereto, for the year ending December 31, 2021.

**CARRIED**

(iii) **Resolution re: Ontario Regulation 284/09**

**Res. No. 10(e)(i)/29/06/2022 Paul Ziraldo, Liz Stermsek**

**WHEREAS** generally accepted accounting principles for local governments established by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada require municipalities to capitalize and amortize tangible capital assets, and to accrue liabilities related to post-employment and solid waste landfill closure and post-closure expenses;

**AND WHEREAS** Ontario Regulation 284/09 states that a municipality may exclude these expenses from budgeted amounts for which revenue must be raised;

**AND WHEREAS** if excluded, Ontario Regulation 284/09 requires Councils, prior to approving a municipal budget, to adopt a report that shows the impact of fully covering these expenses;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves the report entitled "Municipal Act, 2001 Ontario Regulation 284/09, 2022 Budget", attached hereto.

**CARRIED**

(iv) **By-law No. 2022-xx re: Adopt 2022 Budget**

**Res. No. 10(e)(iv)/29/06/2022 Liz Stermsek, Mike Rickward**

**By-law No. 2022-25**, Being a By-law to provide for the Adoption of the 2022 Budget, be read a first, second and third time and numbered 2022-25 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.

**RECORDED VOTE** Requested by: Councillor Paul Ziraldo

**PHILIP, Cheryl** No

**RICKWARD, Mike** No

**STERMSEK, Liz** Yes

**ZIRALDO, Paul** Yes

**BALLANTYNE, Carol** No

**DEFEATED**

(v) **By-law No. 2022-xx re:** To set the 2022 Tax Ratios and 2022 Tax Rates  
**Res. No. 10(e)(v)/29/06/2022 Cheryl Philip, Mike Rickward**

**By-law No. 2022-26**, Being a By-law to Set the 2022 Tax Ratios and 2022 Tax Rates and to further provide for Tax Collection and Penalty and Interest in Default of Payment thereof, be read a first, second and third time and numbered 2022-26 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**

(f) **Fire and Emergency Services**

(i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on June 29, 2022 – **Report and Resolution.**

**Res. No. 10(f)(i)/29/06/2022 Paul Ziraldo, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney acknowledges receipt of the report from Fire Chief Paul Schaefer dated June 22<sup>nd</sup>, 2022;

**AND FURTHER** Council:

- Authorizes the fire department members to take our Fire Trucks to the Fire Fighter games at Watts Farm on Chetwynd Road in Armour Township, on July 9<sup>th</sup>, 2022;
- Authorizes opening the Fire Hall to the public on Saturday, July 30<sup>th</sup>, 2022 to display our fire equipment, provide a display for Public Education and new recruits;
- Authorizes a BBQ

**AND FURTHER** Council commends any Firefighter that chooses to volunteer their time at our Kearney Regatta 2022 festival. **CARRIED**

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

(h) **Council Presentations** - Nil

**11. Correspondence**

(a) **Action Items**

(i) **Kearney and Area Public Library re:** Internet and WiFi

**Res. No. 11(a)/29/06/2022 Paul Ziraldo, 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.

**RECORDED VOTE** Requested by: Councillor Paul Ziraldo

**PHILIP, Cheryl** Yes

**RICKWARD, Mike** No

**STERMSEK, Liz** Yes

**ZIRALDO, Paul** Yes

**BALLANTYNE, Carol** Yes

**CARRIED**

(b) **Information Items**

(i) **Almaguin Highlands Health Centre re:** Draft Minutes – June 3, 2022 – **Information only.**

(ii) **Kearney Watershed Environmental Foundation re:** June 2022 Newsletter – **Information only.**

(iii) **Municipal Engineers Association re:** The Retention of Professional Engineers at Ontario Municipalities – **Information only.**

**11. Other Business – Nil**

13. **Closed Session**

**Res. No. 13(a)-(b)/29/06/2022** Mike Rickward, 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 2:37 p.m. for discussion regarding:

- (a) *labour relations or employee negotiation (x4)*
- (b) *Personal matters about an identifiable individual, including municipal or local board employees*

**CARRIED**

**Res. No. 13(c)/29/06/2022** Paul Ziraldo, 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 4:27 p.m.

**CARRIED**

14. **Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session.

15. **Confirming By-Law**

**Res. No. 15/29/06/2022** Paul Ziraldo, Cheryl Philip

**By-law No. 2022-27**, Being a By-law to confirm the proceedings of Council at its Public Meeting held on June 8<sup>th</sup>, 2022 – Short Term Rentals; at its Public Meeting held on June 8<sup>th</sup>, 2022 – RZ-02-22; at its Special Meeting held on June 17<sup>th</sup>, 2022; and at its Regular Meeting held on June 29, 2022 be read a first, second and third time and numbered 2022-27 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. 16/29/06/2022** Liz Stermsek, Paul Ziraldo

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 4:30 p.m. to meet again at the call of the Chair, in the Council Chambers, Kearney, Ontario.

**CARRIED**

THE CORPORATION OF THE  
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk