



The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

MINUTES

REGULAR COUNCIL MEETING

Council Chambers

Wednesday, December 14th, 2022

1:00 p.m.

Council Members Present: Mayor Cheryl Philip
Councillors: Keven Beaucage; Heather Pateman; Mike Rickward; and Jill Sharer

Staff Present: Brenda J Fraser, CAO/Clerk/Treasurer
Cindy Filmore, Deputy Clerk
Leslie Harvie, Deputy Treasurer
Scott McKay, Public Works Working Foreperson

1. **Call the Meeting to Order**

Res. No. 1/14/12/2022 Keven Beaucage, Mike Rickward

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on December 14th, 2022 be declared open and called to order at 1:02 p.m. **CARRIED**

Moment of silence to honour the memory of Brenda McNally.

2. **Approval of Agenda**

Res. No. 2/14/12/2022 Heather Pateman, Mike Rickward

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on December 14th, 2022 be adopted as amended.

ADD 5(b) Dog Sled Races Advisory Committee re:
▪ Minutes – November 10, 2022
▪ Draft Minutes – December 1, 2022

ADD 6(a) Dog Sled Races Advisory Committee re:
(i) **Resolution re:** Submission of Invoices
(ii) **Resolution re:** Position of Committee Treasurer
(iii) **Resolution re:** Declaration of event as a Festival

DELETE 10(b)(i) Report and Resolution re: Consent B073/22 (Cicchillo) **CARRIED**

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

Councillor Pateman declared a pecuniary interest with regard to Payment Register Cheque # 32248, the reason being: Cheque to my business.

Councillor Beaucage declared a pecuniary interest with regard to Agenda Item #10(d)(vi)- Discussion and Resolution – Communications & Public Relations Co-Ordinator, the reason being: Daughter was interviewed for the position.

Mayor Cheryl Philip declared a pecuniary interest with regard to Closed Session Item (d) Labour relations or employee negotiations - UFCW Negotiations, the reason being: Grandchildren are members of the Fire Department.

4. **Delegations/Presentations**

(a) **Delegations**

(i) **Tom Vinkovic re:** Community Safety Zone (Fisher Lake Lane/Woodland Lane)
Mr. Vinkovic approached Council to request that Council designate a portion of Fisher Lake Lane/Woodland Lane as a Community Safety Zone. Discussion of Council resulted in the following Resolution.

Res. No. 4(a)(i)/14/12/2022 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to contact Perry Township for their agreement to designate Fisher Lake Lane as a Community Safety Zone **CARRIED**

(ii) **Karen Fraser re:** Adherence to Procedural By-law No 2022-03
Mrs. Fraser spoke to the purpose of the Procedural By-law and offered

recommendations for Council's consideration. Discussion of Council resulted in the following Resolution

Res. No. 4(a)(ii)/14/12/2022 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to research training for Council and Staff with regard to the Procedural By-law, with the option to have this training jointly with neighbouring municipalities.

CARRIED

(b) Presentations

- (i) **Chris Bevan, Partner, Kennedy Insurance Broker re: 2023 Municipal Insurance**
Chris Bevan provided Council with an overview of our Municipal Insurance Policy.

5. Minutes

(a) Adoption of Minutes

Res. No. 5(a)(i)/14/12/2022 Keven Beaucage, Jill Sharer

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 – November 23rd, 2022** **CARRIED**

(b) Receive Committee Minutes

Res. No. 5(b)(i)/14/12/2022 Keven Beaucage, Jill Sharer

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

- (i) **Kearney Dog Sled Races Advisory Committee re: Minutes – November 10th, 2022; Draft Minutes – December 1, 2022** **CARRIED**

6. Committee Resolutions for Consideration

Res. No. 6(a)(i)/14/12/2022 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in response to the request from the Dog Sled Races Advisory Committee, reaffirms that the Committee Treasurer shall submit receipts with supporting Committee Resolution(s), to the Town Finance Department, for processing payments(s) in accordance with the established procedures of the Town of Kearney.

CARRIED

Res. No. 6(a)(ii)/14/12/2022 Mike Rickward, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of the Dog Sled Races Advisory Committee, appoints Susan Fetterley as a Volunteer member of this Committee;

AND FURTHER, Council supports the appointment of a Treasurer as required by the Committee Terms of Reference.

CARRIED

Res. No. 6(a)(iii)/14/12/2022 Jill Sharer, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Dog Sled Races Advisory Committee, hereby declares the Dog Sled Races Event to be a community festival and to be held on February 10th 11th and 12th, 2023;

AND FURTHER that all By-laws that this festival contravenes (i.e. Noise By-law regarding barking dogs) shall be suspended during the 2023 Dog Sled Race event;

AND FURTHER that as a safety precaution, Council authorizes the closure of the Kearney Transfer Station at 149 King William Street during the Dog Sled Races on February 11th & 12th, 2023, from 9:30 a.m. to 5:00 p.m.;

AND FURTHER Council authorizes the use of the Kearney Community Centre and equipment, as well as assistance from Custodial Services and the Town Public Works equipment and employees, as available for the 2023 Dog Sled Races event;

AND FURTHER Council authorizes the closure of the section of Main Street from the intersection of Lakeview Avenue and Main Street, to the parking lot of the LCBO near the intersection of Rain Lake Road and Main Street, for the duration of the event.

CARRIED

7. Public Meetings (Pursuant to the Planning Act)

- (a) Planning Report and Public Comments re: Zoning By-law Amendment Application (Bailey).** Mayor Philip opened the public meeting to hear submissions with regard to Application RZ-07-22 with the following Resolution resulting.

Res. No. 7(a)/14/12/2022 Mike Rickward, Keven Beaucage

WHEREAS Council has received the report dated December 9, 2022 from EcoVue Consulting Services with regard to Zoning By-law Amendment Application RZ-07-22 (Bailey);

AND WHEREAS a Public Meeting was held during the Regular Council meeting on December 14, 2022 for Council to receive comments with respect to this application;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of

Kearney, in accordance with the recommendation of our Planners and the discussion during the public meeting, supports the rezoning of this property from the Rural Residential (RR) Zone to the Rural Residential Exception-1 (RR-1) Zone, restricting any additional structures (other than the garage) on the property;
AND FURTHER a By-law to this effect to be considered at the next Regular Meeting of Council.

CARRIED

- (b) **Planning Report and Public Comments re:** Zoning By-law Amendment Application (MacEachren) Mayor Philip opened the public meeting to hear submissions with regard to Application RZ-05-22 with the following Resolution resulting.

Res. No. 7(b)/14/12/2022 Keven Beaucage, Mike Rickward

WHEREAS Council has received the report dated December 9, 2022 from EcoVue Consulting Services with regard to Zoning By-law Amendment Application RZ-05-22 (MacEachren);

AND WHEREAS a Public Meeting was held during the Regular Council meeting on December 14, 2022 for Council to receive comments with respect to this application;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the recommendation of our Planners and the discussion during the public meeting, supports the rezoning of this property from the site-specific Residential Waterfront Exception -61 (RWF-61) Zone to include additional site-specific provisions;

AND FURTHER an as built survey be provided to confirm garage is in the correct location, as a condition of the Zoning By-law amendment;

AND FURTHER a By-law to this effect to be considered at the next Regular Meeting of Council.

CARRIED

8. **Public Meetings (Pursuant to the Municipal Act) – Nil**

9. **Unfinished Business – Nil**

10. **Reports and By-laws**

(a) **Building** - Nil

(b) **Planning**

- (i) **Report and Resolution re:** Consent B-073/22 (Cicchillo) - **DELETED**

(c) **Operations**

- (i) **Transfer Station Report re:**

- Report #1 – November 18th – November 22nd, 2022;
- Report #2 – November 25th, 2022 – November 29th, 2022;
- Report #3 – December 2nd, 2022 – December 6th, 2022 **Reports only.**

- (ii) **Report and Resolution re:** Echo Ridge Road – Bennett request

Res. No. 10(c)(ii)/14/12/2022 Jill Sharer, Keven Beaucage

WHEREAS Council has received a request from Ken Bennett to accept the transfer of ownership of the portion of Echo Ridge Road that trespasses over his property;

AND WHEREAS Mr. Bennett has also provided a Survey (42R-21960) detailing the lands to be transferred to the Town;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports this request and directs Staff to proceed with legal Counsel to complete this transfer;

AND FURTHER as Mr. Bennett has provided the Survey at his cost, the Town will be responsible for the legal costs to complete this transaction;

AND FURTHER the Town shall reimburse Mr. Bennett the cost of the survey in the amount of \$4, 657.89 (taxes included).

CARRIED

(d) **Administration**

- (i) **Discussion and Resolution re:** Changes to Procedural By-law

Res. No. 10(d)(i)/14/12/2022 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney does hereby direct Staff to give notice of their intent to change the Procedural By-law at their Regular Meeting scheduled to be held on January 11th, 2023;

AND FURTHER that the proposed changes include the following:

1) **Section 5.2.1 shall be amended as follows:**

- Change 1:00 p.m. to 6:00 p.m.
- Change 'Wednesdays' to 'Thursdays'

2) **Section 9 shall be amended as follows:**

- To hold Council meetings every 2 weeks
- 9.2.2 Change 'Friday' to 'Monday'
- 9.4 After 12, insert new No. 13 'Talk to the Mayor' and renumber remaining numbers

- July, August and December shall have only one meeting each of those three months

CARRIED

- (ii) **Resolution re:** Christmas Holiday Office closure

Res. No. 10(d)(ii)/14/12/2022 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the closure of the Town Office from December 23rd, 2022 at 12:30 p.m. to January 3, 2023 at 8:30 a.m., inclusive, in order that Staff may enjoy the Christmas holiday with family and friends.

CARRIED

- (iii) **Discussion and Resolution re:** Tender for External Auditor

Res. No. 10(d)(iii)/14/12/2022 Heather Pateman, Mike Rickward

WHEREAS the *Municipal Act, 2001*, as amended, requires a municipality to appoint an auditor who shall not be appointed for a term exceeding five (5) years;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs Staff to issue a Request for Proposal for External Audit Services.

CARRIED

- (iv) **Report and Resolution re:** Access to Internet

Res. No. 10(d)(iv)/14/12/2022 Keven Beaucage, Jill Sharer

WHEREAS Council recognizes the importance of internet connectivity, not only for the Municipal Office, but for all departments of the Town, for the Kearney and Area Library and for all of our residents;

AND WHEREAS reliable connectivity has been an on-going challenge;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby directs Staff to contact the following businesses to determine a solution to these problems:

- i) Lake Country Office Solutions
- ii) Galaxy Broadband

AND FURTHER that information be available for January 15th, 2023.

CARRIED

- (v) **Report and Resolution re:** Construction of new roads

Res. No. 10(d)(v)/14/12/2022 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby directs Staff to prepare a Road Construction Policy for consideration of Council to implement.

CARRIED

In accordance with her Declaration, Councillor Beaucage left the room at this point.

- (vi) **Discussion and Resolution re:** Communications and Public Relations Co-ordinator

Res. No. 10(d)(vi)/14/12/2022 Jill Sharer, Mike Rickward

WHEREAS the Town recently advertised an employment opportunity for a Communications and Public Relations Coordinator;

AND WHEREAS the Selection Team is recommending the hiring of one of the applicants;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the Clerk to offer the position of Communications and Public Relations Co-ordinator to the recommended applicant, following successful reference checks and clear Police Record.

CARRIED

Councillor Beaucage resumed her position at the Council table. Time: 3:52 p.m.

- (vii) **Discussion and Resolution re:** General Maintenance Attendant Position

Res. No. 10(d)(vii)/14/12/2022 Mike Rickward, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes the Clerk to advertise a full time Employment Opportunity for the position of General Maintenance Attendant.

DEFERRED

- (viii) **Report and Resolution re:** Benefit Renewal

Res. No. 10(d)(viii)/14/12/2022 Jill Sharer, Keven Beaucage

WHEREAS THE Town of Kearney has received the Benefits Renewal Report from Meldrum Horne, for our Employee 2023 Benefit package;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes renewal of this package in the amount of \$82,492 plus applicable taxes. **CARRIED**

- (ix) **Report and Resolution re:** Application to purchase road allowance

Res. No. 10(d)(ix)/14/12/2022 Keven Beaucage, Jill Sharer

WHEREAS Council has received an application to purchase a portion of the road allowance leading to 16 Seagull Point;

AND WHEREAS this application represents an attempt by the land owner to rectify an on-going encroachment situation;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has no objection to the landowner making this application. **CARRIED**

(x) **Resolution re:** Resolution Report

Res. No. 10(d)(x)/14/12/2022 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the Resolution Report for Council meeting up to November 23, 2022. **CARRIED**

(e) **Treasury**

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

Res. No. 10(e)(i)/14/12/2022 Mike Rickward, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the 'List of Accounts' for Cheques #32237 to #32279 in the total amount of \$29,835.35. **CARRIED**

(ii) **Report re:** Budgetary Control – January 1, 2022 – November 30, 2022

Res. No. 10(e)(ii)/14/12/2022 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has received the Budgetary Control Report for the period 2022-01-01 to 2022-11-30. **CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on December 14, 2022 – **Report only.**

(ii) **Report re:** Gray Jay Lane and Sunken Island Lane – **Report only.**

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

(h) **Council Presentations**

(i) **Deputy Mayor Rickward re:**

1) Algonquin Park Office space lease

Discussion of Council resulted in the following Resolution

Res. No. 10(h)(i)(1)/14/12/2022 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney has discussed the room adjacent to the Town Offices that is rented by the Park Office and determines that we notify Magnetawan Management that the Town intends to use the Algonquin Room for Municipal purposes however the Town is agreeable to negotiating to provide an alternative space in Kearney. **CARRIED**

2) Building to store winter sand

Council deferred further discussion to our 2023 Budget considerations.

3) KCC Renovation timeline

Discussion of Council resulted in the following Resolution

Res. No. 10(h)(i)(3)/14/12/2022 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes Staff to investigate renting: a tent(s); portable outdoor heaters; and BBQ's to accommodate the public during the Dog Sled Races event, as a result of the Kearney Community Centre still being under renovation at this time. **CARRIED**

4) Councillor wages: personal donation; wage consideration

Discussion of Council resulted in the following Resolution

Res. No. 10(h)(i)(4)/14/12/2022 Keven Beaucage, Mike Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney shall increase Council honourarium as follows:

- | | | |
|---------------|--------------------------------------|-----------------------------|
| ▪ Councillors | from \$800 / month to \$950 / month | Increase of \$150 per month |
| ▪ Mayor | from \$1,000/month to \$1,300 /month | Increase of \$300 per month |

AND FURTHER that Councillor Rickward shall donate his 2023 honorarium as follows: Six (6) months to the Kearney and Area Library; Three (3) months to Kearney Watershed Foundation; and three 3 months for flowers for downtown beautification. **DEFERRED**

5) Discussion re: Doug Ford's plan to cut into Ontario's Green Belt

Discussion of Council resulted in the request for a Resolution to be presented for consideration at the next regular meeting of Council.

(ii) **Councillor Beaucage re: Library Board update – Update only.**

11. Correspondence

(a) **Action Items – Nil**

(b) **Information Items**

- (i) **Almaguin Highlands Health Council re: Draft Minutes – December 1, 2022**
- (ii) **East Parry Sound Veterinary Committee re: Draft Minutes – December 1, 2022**

(c) **Resolution re: Curfew**

Res. No. 11(c)/14/12/2022 Mike Rickward, Jill Sharer

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

CARRIED

12. Other Business – Nil

13. Closed Session

Res. No. 13(a)-(e)/14/12/2022 Jill Sharer, Keven Beaucage

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 4:53 p.m. for discussion regarding:

- (a) *The security of the property of the municipality or local board*
- (b) *A proposed or pending acquisition or disposition of land by the municipality or local board*
- (c) *Advice that is subject to solicitor-client privilege, including communications necessary for that purpose*
- (d) *Labour relations or employee negotiations*
- (e) *Personal matters about an identifiable individual, including municipal or local board employees (x2)*

CARRIED

Res. No. 13(f)/14/12/2022 Keven Beaucage, Jill Sharer

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 7:50 p.m.

CARRIED

14. Business Arising from Closed Session

Discussion of Council resulted in the following Resolution.

Res. No. 14(a)/14/12/2022 Mike Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney authorizes renewal of the 2023 Municipal Insurance Policy with Kennedy Insurance Brokers Inc. / Intact Public Entities, in the amount of \$151,423 plus applicable taxes.

CARRIED

15. Confirming By-Law

Res. No. 15/14/12/2022 Mike Rickward, Heather Pateman

By-law No. 2022-39, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on December 14th, 2022 be read a first, second and third time and numbered 2022-39 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

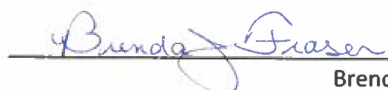
Res. No. 16/14/12/2022 Jill Sharer, Keven Beaucage

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 7:55 p.m. to meet again at 1:00 p.m. on Wednesday, January 11th, 2023, in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Cheryl Philip, Mayor

Brenda J. Fraser, Clerk