

The Corporation of the Town of Kearney

REGULAR COUNCIL MEETING MINUTES

Council Chambers

Thursday, December 14, 2023 – 6:00 p.m.

Council Members Present: Mayor: Cheryl Philip
Deputy Mayor: Michael Rickward
Councillors: Keven Beaucage, Heather Pateman and Jill Sharer

Staff Present: Nicole Gourlay, Clerk Administrator (C-A)
Cindy Filmore, Deputy Clerk (DC)
Paul Audette, Public Works Superintendent (PWS)

The DC and PWS stayed for their respective sections and the C-A was present for the entirety of the meeting.

1. **Call the Meeting to Order** – the meeting was called to order at 6:25 pm
2. **Approval of Agenda**
Res. No. 320 – 23 **Michael Rickward, Keven Beaucage**
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney of December 14, 2023 agenda, be adopted as amended
CARRIED
3. **Disclosure of Interest**
Councillor Jill Sharer declared a pecuniary interest regarding a refund of a demolition permit deposit
4. **Delegations/Presentations**
 - 4.1 **Dave Smith re: Requesting Reimbursement of Tipping Fees**

Mr. Smith did not attend the meeting to discuss his concerns.

4.2 Chris Bevan, Kennedy Insurance Brokers – Update on 2024 Insurance Renewal
Res. No. 321-23 **Michael Rickward, Keven Beaucage**
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney thanks Chris Bevan for his presentation and authorizes renewal of the 2024 Municipal Insurance Policy with Kennedy Insurance Brokers Inc./Intact Public Entities, in the amount of \$173,345.00
CARRIED
5. **Consent List**
 - 5.1 November 9, 2023 Council Meeting Minutes
 - 5.2 November 21, 2023 Special Meeting Minutes
 - 5.3 November 28, 2023 Special Meeting Minutes
 - 5.4 Payment Register
 - 5.5 Transfer Station Activity Report
 - 5.6 Joint Waste Management Board November 2, 2023 Minutes
 - 5.7 October 25, 2023 Library Board Minutes
 - 5.8 AHHC November Draft Minutes
 - 5.9 Support Resolution for Halton Hills – Guaranteed Livable Income
Res. No. 322-23 **Keven Beaucage, Jill Sharer**
BE IT RESOLVED that the Consent List from the Regular Council Meeting of Thursday, December 14, 2023 be accepted and that all Recommendations contained therein be adopted as Resolutions of Council.
CARRIED
6. **Items Referred from the Consent List - nil**

7. Items for Discussion

7.1 Road Use/Maintenance Agreement Template

Res. No. 323-23 Michael Rickward, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the template for Road Use/Maintenance Agreement substantially as presented as item 7.1 on the agenda; **AND FURTHER** that Council hereby directs Staff to use this template agreement for any work to be completed by a third party on municipally owned roads.
DEFERRED

Direction was given to Staff to report on options, process and cost associated with those options and bring it back to a future Council meeting.

7.2 SR -2023-49 Ralph Bice Bursary Program

Res. No. 324-23 Jill Sharer, Michael Rickward

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the Deputy Clerk's report SR-2023-49 and directs that the bursary funds established by the Bice Committee be utilized as per the previous Committee's wishes by creating a bursary for one (1) Almaguin Highlands graduating student per year that is going into Forestry in post-secondary education (preference given to a resident of Kearney) in the amount of \$1,000.00 until the funds are depleted.
CARRIED

7.3 SR-2023-50 Waste Management Operations

Res. No. 325-23 Michael Rickward, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the Deputy Clerk's report SR-2023-50 and directs Staff to draft the Waste Management By-law with the recommended changes and bring it back to Council for their consideration at a future meeting.
CARRIED

7.4 SR-2023-51 Fees and Charges with DRAFT Bylaw

Res. No. 326-23 Michael Rickward, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the Clerk Administrator's report SR-2023-51 and approves the changes proposed by Staff within the DRAFT Fees and Charges By-law attached as Schedule "A" be passed by By-law later in this meeting allowing these new fees and charges to be in effect as of January 1st, 2024
CARRIED

7.5 SR-2023-52 John Deere Backhoe

Res. No. 327-23 Hether Pateman, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts the Public Works Superintendent's report SR-2023-52 and hereby directs Staff to have the repairs completed on the 310 John Deere backhoe in the amount of \$5,000 by Brandt in Gravenhurst.
CARRIED

7.6 SR-2023-53 Plowing St. Patrick's Catholic Church Parking Lot

Res. No. 328-23 Keven Beaucage, Jill Sharer

WHEREAS for several years, the Corporation of the Town of Kearney has been assisting St. Patrick's Catholic Church with winter maintenance in their parking lot; **AND WHEREAS** the St. Patrick's Catholic Church parking lot is a privately owned lot; **AND WHEREAS** Staff have recommended in SR-2023-53 that Council give notice to St. Patrick's Catholic Church that the Town will no longer be providing winter maintenance for their parking lot; **NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby directs Staff to give notice to the St. Patrick's Catholic Church in Kearney that the Town will no longer be providing winter maintenance to their privately owned parking lot.

CARRIED

Recorded Vote Requested by Cheryl Philip, Mayor

Keven Beaucage	for
Heather Pateman	for
Cheryl Philip	opposed
Michael Rickward	for
Jill Sharer	for

7.7 Council Meeting Dates for 2024

Res. No. 329-23 Keven Beaucage, Heather Pateman

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. 2023-52, the Procedure By-law for the Town of Kearney, should state “Regular Meetings of Council shall be held in the Council Chambers at 8 Main Street, Kearney, every three weeks on Thursday; **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 2024: January 11; February 1 & 15, March 7 & 28; April 18, May 9 & 30, June 20, July 11; August 1, September 5 & 26, October 17; November 7 & November 28; and December 19.

CARRIED

7.8 Support Resolution from WOWC – Strong Mayor Powers and Leave to Construct Threshold

Res. No. 330-23 Keven Beaucage, Heather Pateman

WHEREAS the Western Ontario Wardens Caucus Inc. (WOWC) is a not-for-profit organization representing 15 upper and single tier municipalities in Southwestern Ontario with more than one and a half million residents; **AND WHEREAS** the purpose of WOWC is to enhance the prosperity and overall wellbeing of rural and small urban communities across the region; **AND WHEREAS** the Strong Mayors, Building Homes Act, 2022, S.O. 2022, c. 18, for select municipalities, transfers legislative responsibility from the deliberative body of the Council to the Head of Council; **AND WHEREAS** the Better Municipal Governance Act, 2022, S.O. 2022, c. 24 provides for provincially appointed facilitators to assess the regional governments to determine the mix of roles and responsibilities between the upper and lower-tier municipalities; **AND WHEREAS** the Building Faster Fund arbitrarily ties housing supportive funding to municipalities that establish a housing target based solely on population size; **AND WHEREAS** “responsible and accountable governments with respect to matters within their jurisdiction; **AND WHEREAS** overcoming the housing and affordability crisis in Ontario requires sustained, strategic, and focused efforts from all levels of government, informed from the expertise of all levels of government; **NOW THEREFORE BE IT RESOLVED THAT** The Corporation of The Town of Kearney supports WOWC with their request to call on the provincial government to work with municipalities in Ontario, as a responsible and accountable level of government, to focus all efforts on tackling the housing and affordability crisis in Ontario by: Revoking existing ‘strong mayor powers’ and not implementing legislation that transfers legislative responsibility from the body of Council to the Head of Council. Respecting spheres of jurisdiction, recognizing that municipalities are best positioned to determine the mix of roles and responsibilities between upper and lower-tier municipalities and only conduct structural and service delivery reviews of municipalities or regions where a majority of municipalities included within the region, request the same. Recognizing rural and small urban municipalities are critical to overcoming the housing and affordability crisis in Ontario and not allocating the majority of scarce provincial housing supportive funding to a limited subset of large urban municipalities in Ontario; **AND FURTHER THAT** The Town of Kearney and WOWC call upon the provincial government to provide all municipalities with the financial resources to tackle the housing and affordability crisis in Ontario that is pricing too many people, especially young families and newcomers, out of home ownership, while amplifying socio-economic disparities and reliance on municipally provided human services; **AND FURTHER THAT** this resolution be forwarded to the Association of Municipalities of Ontario for support so that the future governance of our communities is in the hands of its constituents; **AND FURTHER THAT** this resolution be forwarded to: the Minister of Municipal Affairs and Housing and the Premier of Ontario; WOWC Members; the EOWC, and all WOWC area MPs and MPPs and all municipalities in Ontario.

CARRIED

7.9 Support Resolution from Town of Bracebridge – Amendment to Legislation Act

Res. No. 331-23 Heather Pateman, Keven Beaucage

WHEREAS Metroland Media Group sought bankruptcy protection and ceased the print publication of more than seventy (70) of its weekly community newspapers across Ontario; **AND WHEREAS** Metroland Media Group will offer a digital-only format for its customers in place of the more than seventy (70) weekly community newspapers; **AND WHEREAS** the Legislation Act, 2006 provides a definition of “newspaper” that is applicable to every Provincial Act and Regulation, as a document that, (a) is printed in sheet form, published at regular intervals of a week or less and circulated to the general

public, and (b) consists primarily of news of current events of general interest; **AND WHEREAS** Ontario Municipalities are required to follow publication and notice requirements for Provincial Acts and Regulations; **AND WHEREAS** communities such as the Town of Kearney cannot comply with publication requirements in Provincial Acts and Regulations as the local news publication is no longer being printed in sheet form and there are no other local news publications fitting the definition of "newspaper"; **AND WHEREAS** Bill 73, Supporting Ontario's Community, Rural and Agricultural Newspapers Act, 2023, is an Act to amend various Acts with respect to the publication of notices in newspapers, however, it does not address the needs of communities that have no local news publications fitting the definition of "newspaper" being "(a) is printed in sheet form, published at regular intervals of a month or less and circulated to the general public, and (b) consists primarily of news of current events of general interest."; **NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Town of Kearney supports the Town of Bracebridge with their request to the Provincial government to make an amendment to the Legislation Act, 2006 to include digital publications as an acceptable means of publication and notice requirements for Provincial Acts and Regulations; **AND FURTHER THAT** this resolution be forwarded to the Minister of Municipal Affairs and Housing, Paul Calandra; Parry Sound-Muskoka MPP, Graydon Smith; the Association of Ontario Municipalities (AMO); the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); and, all Ontario Municipalities. **CARRIED**

7.10 Municipal Appeal Letter – Crime Stoppers Month 2024

Res. No. 332-23 Keven Beaucage, Jill Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney supports Near North Crime Stoppers and will recognize January 2024 as Crime Stoppers Month. **CARRIED**

7.11 Support Resolution from Municipality of Wawa – Support Tax Credit Firefighter

Res. No. 333-23 Michael Rickward, Heather Pateman

WHEREAS Canada has 90,000 volunteer firefighters who provide fire and all hazard emergency services to their communities; in addition, approximately 8,000 essential search and rescue volunteers respond to thousands of incidents every year; **AND WHEREAS** many of these individuals receive some form of pay on call, an honorarium, or are given some funding to cover expenses, but they do not draw a living wage from firefighting; **AND WHEREAS** without volunteer firefighters and search and rescue volunteers, thousands of communities in Canada would have no fire and emergency response coverage; **AND WHEREAS** in 2013, the federal government initiated a tax credit recognizing these individuals, and calling on the federal government to increase this tax credit from \$3,000 to \$10,000; **AND WHEREAS** volunteer firefighters account for 71% of Canada's total firefighting essential first responders:

- The tax code of Canada currently allows volunteer firefighters and search and rescue volunteers to claim a \$3,000 tax credit if 200 hours of volunteer services were completed in a calendar year;
- This works out to a mere \$450 per year, which we allow these essential volunteers to keep of their own income from their regular jobs, \$2.25 an hour;
- If they volunteer more than 200 hours, which many do, this tax credit becomes even less;

• These essential volunteers not only put their lives on the line and give their time, training and efforts to Canadians, but they also allow cities and municipalities to keep property taxes lower than if paid services were required; **THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Town of Kearney supports the Municipality of Wawa's resolution to call upon the Government of Canada to support Bill C-310 and enact amendments to subsections 118.06 (2) and 118.07 (2) of the Income Tax Act in order to increase the amount of the tax credits for volunteer firefighting and search and rescue volunteer services from \$3,000 to \$10,000; **FURTHERMORE THAT** a copy of the resolution be shared with the Association of Fire Chiefs of Ontario, Association of Municipalities of Ontario and all Ontario municipalities.

7.12 Permit Applications and Design for Sand Lake Boat Launch

Res. No. 334-23 Michael Rickward, Keven Beaucage

WHEREAS the Town of Kearney's Engineer of Record (EOR) has submitted design drawings/permits applications to both the MNR and DFO; **AND WHEREAS** the EOR has received an approved permit from the MNR provided approval is granted from the DFO with no in-water work permitted between May 1st and July 15th; **AND WHEREAS** Council issued a request for quotations for a replacement of the current ramp and awarded the quotation to Galcon Marine on May 18 2023 in the

amount of \$133, 032 plus tax; **AND WHEREAS** Staff, Council and the EOR have determined that the scope of work must be expanded in order to provide for a functioning ramp for years to come; **AND WHEREAS** Council deems it appropriate to apply Section 9.4 b. Sole Source Procurement of By-law 2011-78 to purchase by negotiation as the scope of work changed and a quote was already awarded as per subsection iii); **NOW THEREFORE BE IT RESOLVED** that the Council of the Town of Kearney hereby accept the design for Sand Lake Boat Ramp and directs Staff to obtain a simplified design from the EOR and engage Galcon Marine with the updated scope of work in order to provide an updated cost associated with the project.

CARRIED

7.13 SR-2023-54 DRAFT Amendment to Open Air Burning By-law

Res. No. 335-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Town of Kearney approves the draft Open Air Burn By-law and recommendations set out in SR-2023-54 to allow daytime burning between November 1st and March 31st, **AND FURTHER** that the By-law will be passed later in the meeting.

CARRIED

8. New Business - nil

9. Correspondence for Information

- 9.1 KWEF November 2023 Newsletter
- 9.2 Support Resolution from Loyalist Township – MECP Permit-by-rule
- 9.3 Almaguin Highlands Chamber Newsletter
- 9.4 Eastholme Report – November 2023
- 9.5 Joint Waste Management Board 2024 Meeting Schedule
- 9.6 Support Resolution from Prince Edward County - MECP Source Water Protection Program
- 9.7 Support Resolution from Municipality of Wawa – Amend Legislation Act. Digital Publication
- 9.8 Support Resolution from Village of South River – Notice Requirements
- 9.9 DSSAB CAO Report

10. Talk to the Mayor

11. Closed Session

Res. No. 336-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney at 8:44 pm, moves into closed session under Section 239(2) of the Municipal Act, under the following subsections:

- (a) Labour Relations or Employee Negotiations
- (b) Personal Matters about an identifiable individual
- (c) Litigation or Potential Litigation

CARRIED

Res. No. 337-23 Jill Sharer, Heather Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvenes in Open Session at 9:25 pm

CARRIED

Res. No. 338-23 Michael Rickward, Keven Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney directs the Clerk Administrator to engage a head hunting service provider up to \$18,000 to assist with hiring of a Treasurer.

CARRIED

12. Confirming & Other By-laws

Res. No. 339-23 Heather Pateman, Michael Rickward

BE IT RESOLVED that by the Council of the Town of Kearney the following by-laws are now read a first, second and a third time, passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation, and engrossed in the by-law book:

- 12.1 By-law No 2023-62 – De Ciccio ZBLA
- 12.2 By-law No. 2023-63 – Facility Rental Policy
- 12.3 By-law No. 2023-64 – Fees & Charges
- 12.4 By-law No 2023-65 – Open Air Burn By-law
- 12.5 By-law No. 2023-66 – Confirming November 27th, 2023 & December 14th, 2023

CARRIED

13. **Adjournment**

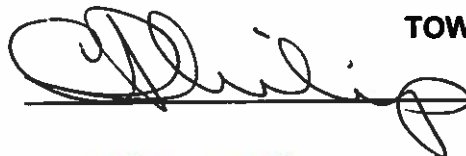
Res. No. 340-23 Michael Rickward, Heather Pateman

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 9:36 pm to meet again at 6:00 pm on Thursday, January 11th, 2024 in the Council Chambers, Kearney, Ontario

CARRIED

THE CORPORATION OF THE

TOWN OF KEARNEY



Mayor



Clerk