

The Corporation of the Town of Kearney

REGULAR COUNCIL MEETING MINUTES

Council Chambers

Thursday, May 9, 2024 – 6:00 p.m.

Council Members Present:

Mayor: Cheryl Philip
Deputy Mayor: Michael Rickward

Councillors: Keven Beaucage, Heather Pateman and
Jill Sharer

Staff Present:

Karen Fraser, CAO Interim (CAO)
Cindy Filmore, Deputy Clerk (DC)
Paul Audette, Public Works Superintendent (PW)
The CAO and DC were present for the entirety of the meeting.

A moment of silence was held to honour the memory of Verna Rickward

1. **Call the Meeting to Order** – the meeting was called to order at 6:01 pm
2. **Approval of Agenda**
Resolution 2024-137
Moved By: Councillor Pateman, Seconded by: Councillor Beaucage
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney of May 9, 2024 agenda, be adopted as amended.
CARRIED
3. **Disclosure of Interest**
None noted
4. **Delegations/Presentations - Nil**
5. **Consent List**
 - 5.1 Resolution Report
 - 5.2 April 18, 2024 Council Meeting Minutes
 - 5.3 Payment Register
 - 5.4 Transfer Station Activity Report
 - 5.5 May 6, 2024, Special Council Meeting Minutes (added at table)

Resolution 2024-138
Moved by: Councillor Sharer, Seconded by: Deputy Mayor Rickward
BE IT RESOLVED that the Consent List from the Regular Council Meeting of Thursday, May 9, 2024 be accepted and that all Recommendations contained therein be adopted as Resolutions of Council.
CARRIED
6. **Items Referred from the Consent List**
7. **Items for Discussion**
 - 7.1 DRAFT Trailer By-law – Correspondence received
Res. No. 2024-139
Moved by: Councillor Sharer, Seconded by: Deputy Mayor Rickward
WHEREAS the Council of the Corporation of the Town of Kearney received a first draft of the Trailer By-law on March 7, 2024 and had opportunity to review and discuss the said by-law; AND WHEREAS Council has received public input regarding this by-law; NOW THEREFORE BE IT RESOLVED that Council requests further discussion and input from Staff (Building, By-law and Fire) regarding the issue of homelessness and all safety elements.
CARRIED
 - 7.2 Draft Adopt the 2024 Budget By-law
Resolution 2024-140
Moved by: Deputy Mayor Rickward, Seconded by: Councillor Beaucage
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, 2024 Budget", attached hereto.
CARRIED

Resolution 2024-141

Moved by: Deputy Mayor Rickward, Councillor Beaucage

WHEREAS the Council of the Corporation of the Town of Kearney has reviewed the 2024 Budget Documents; NOW THEREFORE BE IT RESOLVED that Council supports the passing of the 2024 Budget By-law which will take place later in this meeting

CARRIED

7.3 Regatta Resolution – Swag/Memorabilia Purchase

Resolution 2024-142

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney accepts and approves the purchase of the Regatta Memorabilia as attached hereto.

CARRIED

7.4 Hazardous Waste Day 2024

Resolution 2024-143

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

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 17th, 2024 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

7.5 SR2024-35 MNR – Air Muskoka

Resolution 2024-144

Moved by: Councillor Sharer, Seconded by: Deputy Mayor Rickward

BE IT RESOLVED THAT that the Council of the Corporation of the Town of Kearney hereby receives and accepts SR 2024-35 regarding the MNR request for Council's approval of Air Muskoka's Land Use Permit application; AND FURTHER directs staff to sign the Municipal Comment Form provided in the affirmative.

CARRIED

7.6 DRAFT Sale of Land By-law

Resolution 2024-145

Moved by: Councillor Pateman, Seconded by: Councillor Beaucage

WHEREAS the Council of the Corporation of the Town of Kearney has received and reviewed DRAFT Sale of Land By-law and instructed Staff as to the desired amendments; AND WHEREAS these amendments have been completed and further reviewed by Council; NOW THEREFORE BE IT RESOLVED that Council supports the passing of the Sale of Land By-law which will take place later in this meeting.

CARRIED

7.7 DPSMA Spring Meeting Agenda and Registration

Resolution 2024-146

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED that Council of the Corporation of the Town of Kearney determines the following delegates will attend the 2024 District of Parry Sound Municipal Association Spring Meeting Friday May 17th, 2024: Keven Beaucage, Michael Rickward, Cheryl Philip and a Staff Member.

CARRIED

7.8 SR2024-35 Transfer Station Hours

Resolution 2024-147

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

BE IT RESOLVED that the resolution regarding the transfer station hours be deferred until Closed Session.

CARRIED

7.9 SR 2024-37 Zoning By-law Updates

Resolution 2024-148

Moved by: Deputy Mayor Rickward, Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts SR-2024-37 regarding the updating of By-law 2022-20, the Zoning By-law; AND FURTHER directs Staff to move forward with an update to the Zoning By-law to include the definition for a Food

Truck/Trailer and other previously identified updates as required, pending determination of costs
CARRIED

7.10 DRAFT Resolution Regarding Public Works Tender
Resolution 2024-149

Moved by Deputy Mayor Rickward; Seconded by Councillor Beaucage

BE IT RESOLVED that the Corporation of the Town of Kearney has reviewed the tender packages for Surface Treatment (Single & Double of various roads, Surface Pulverization and Asphaltting of Chetwynd Road and Echo Ridge Road as attached hereto and authorizes advertisement thereof.
CARRIED

7.11 DRAFT Tax Ratio and Tax Rates By-law
Resolution 2024-150

Moved by Councillor Beaucage, Seconded by Councillor Sharer

WHEREAS the Council of the Corporation of the Town of Kearney has reviewed the DRAFT 2024 Tax Rates and Ratios By-law; NOW THEREFORE BE IT RESOLVED that Council supports the passing of the 2024 Tax Rates and Ratios By-law which will take place later in the meeting.
CARRIED

7.12 By-law to Appoint Temporary CAO
Resolution 2024-151

Moved by Deputy Mayor Rickward; Seconded by Councillor Beaucage

WHEREAS Section 229 of the *Municipal Act 2001, S.O. 2001, c.25* as amended, states that "A municipality may appoint a chief administrative officer who shall be responsible for,

(a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
(b) performing such other duties as are assigned by the municipality";

AND WHEREAS Council deems it necessary to immediately appoint an Interim Chief Administrative Officer (CAO) to perform certain duties within the municipality on a temporary basis in the absence of the Clerk Administrator; AND WHEREAS Council has identified an individual who possesses the necessary requirements to fulfill the position; NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Town of Kearney supports the passing of a by-law to appoint said Chief Administrative Officer, which will take place later in the meeting.

7.13 Discussion re: Sale of Backhoe

7.14 Discussion re: Transfer Station Cards
Resolution 2024-152

Moved by Deputy Mayor Rickward, Seconded by Councillor Beaucage

BE IT RESOLVED that Mayor Philip would like to introduce a motion to review the issuing of transfer station cards to residents that have driveways and 911 numbers
CARRIED

8. Other Business

9. Correspondence for Information

9.1 DPSSAB CAO Report

9.2 Support Resolution Huron Shores Urging the Government to Promptly Resume Assessment Cycles

10. By-laws

Resolution 2024-153

Moved by: Deputy Mayor Rickward, Seconded by: Councillor Beaucage

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

10.1 By-law 2024- 17 Being a By-law to Appoint a Temporary CAO

10.2 By-law 2024- 18 Being a By-law to Adopt the 2024 Budget

10.3 By-law 2024- 19 Being a By-law to Set the 2024 Tax Rates

10.4 By-law 2024- 20 Being a By-law to Regulate the Sale of Land

CARRIED

11. Talk to the Mayor

12. Closed Session

Resolution 2024-153

Moved by: Councillor Pateman, Seconded by: Councillor Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney moves into closed session at 7:10pm under Section 239(2) of the Municipal Act, under the following subsections:

(d) Labour Relations or Employee Negotiations

(e) Litigation or Potential Litigation

CARRIED

Resolution 2024-155

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvenes in Open Session at 9:18pm

CARRIED

Resolution 2024-156

Moved by Councillor Beaucage; Seconded by Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives SR 2024-36 Transfer Station Hours and determines that the Transfer Station Hours shall be:

Summer: May long weekend to Labour Day weekend – open on Statutory Holidays

Winter: from after Labour Day weekend to May long weekend CLOSED on Statutory Holidays for a trial period of one year when an evaluation shall be provided to Council

13. Confirming By-law

Resolution 2024-157

Moved by: Councillor Sharer, Seconded by: Deputy Mayor Pateman

BE IT RESOLVED that By-law 2024-21 being a by-law to Confirm the Proceedings of Regular Meeting of Council on May 9, 2024, be 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.

CARRIED

14. Adjournment

Resolution 2024-158

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 9:20pm to meet again at 6 pm on May 30, 2024 in the Council Chambers, Kearney, Ontario

CARRIED

THE CORPORATION OF THE

TOWN OF KEARNEY

Mayor

Clerk