

The Corporation of the Town of Kearney

REGULAR COUNCIL MEETING MINUTES

Council Chambers

Thursday, May 30, 2024 – 6:00 p.m.

Council Members Present:

Mayor: Cheryl Philip

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 DC and PW were present for the public portions of the meeting.

The CAO was present for the entirety of the meeting.

1. **Call the Meeting to Order** – the meeting was called to order at 6:00 pm
2. **Approval of Agenda**
Resolution 2024-165
Moved By: Councillor Beaucage, Seconded by: Councillor Pateman
BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney of May 30, 2024 agenda, be adopted as amended:
Amended to Add Item 7.14 Discussion re: Southeast Parry Sound District Planning Board June Meeting
Remove Items 7.9 and 7.11 which are by-laws to be passed.
CARRIED
3. **Disclosure of Interest**
A Declaration of Pecuniary Interest was submitted by Jill Sharer in regard to Cheque # 33830 representing expenses for the FONOM Conference.
4. **Delegations/Presentations – Nil**
Public Meeting under the Planning Act
4.1 Zoning By-law Amendment – 70 Rock Point Rd (Kolumbus/Mignardi)
Resolution 2024-166
Moved by: Councillor Pateman, Seconded by: Councillor Sharer
WHEREAS Council has reviewed Zoning By-law Amendment Application RX-01-24 and the Report from our Planning Consultant in its regard; and
WHEREAS the proposed amendment recognizes the site-specific requirements of the Consent File B-38-23 to allow for the lot addition to take place; and
WHEREAS the Zoning By-law 2022-20 provides a minimum lot area of .04 ha within the Residential Waterfront Zone, and the proposed lot addition will have an approximate lot area of 0.22 ha which does not meet the minimum requirement of the RWF Zone;
THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves in principle the passing of a Zoning By-law Amendment to recognize these requirements; and
FURTHER directs Staff to prepare a By-law to be passed at the next meeting of Council
CARRIED
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 2024-167
Moved by: Councillor Beaucage, Seconded by: Councillor Pateman
BE IT RESOLVED that the Consent List from the Regular Council Meeting of Thursday, May 30, 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 Transfer Station Bag Allotment for Vacant Land
Resolution 2024-168
Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

WHEREAS the Council of the Corporation of the Town of Kearney recently updated the Transfer Station Card system to a more durable plastic card system; and
WHEREAS this has resulted in a change to the manner of distribution which impacted the number of residents receiving cards, and meant that vacant lots did NOT receive Transfer Station Cards;
NOW THEREFORE BE IT RESOLVED that Council directs Staff to provide Transfer Station Cards to all properties which have 911#/Civic Address #s assigned to them and that said cards be loaded with 60 bags.
CARRIED

7.2 SR 2024-38 Shore Road Allowance purchase – Approve in Principle
Resolution 2024-169

Moved by: Councillor Sharer, Seconded by Councillor Beaucage
WHEREAS the Council of the Corporation of the Town of Kearney received an application to purchase the Shore Road Allowance in front of 14 Beaver Lake Lane; and
WHEREAS this purchase appears to be straightforward and of benefit to both the Town and the purchaser;
NOW THEREFORE BE IT RESOLVED that Council approves the purchase in principle and directs Staff to allow the process to move forward.
CARRIED

7.3 SR 2024-39 Training Expense – Grader Training
Resolution 2024-170

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer
WHEREAS the Council of the Corporation of the Town of Kearney received SR 2024-39, outlining the need to allow Adam Lundy to attend Grader Training as well as providing 2 options to the training module; and
WHEREAS this training will enable the Town to increase the number of trained Grader operators and do so in the most fiscally responsible manner;
NOW THEREFORE BE IT RESOLVED that Council approves the recommendation of the Public Works Superintendent as per SR 2024-39 (Option 2) at a cost of \$5,438.06 plus applicable taxes
CARRIED

7.4 Women's Own Resource Letter to Council for Donation

WHEREAS the Council of the Corporation of the Town of Kearney received a request from the Women's Own Resource Centre for funding to enable their organization to continue with the programs and support they offer; and
WHEREAS the Town of Kearney has provided both financial support and support in kind (donating space for events and workshops); and
WHEREAS the Women's Own Resource Centre has suggested a \$0.50 per capita donation rate which represents a \$487 donation (975 x \$0.50);
NOW THEREFORE BE IT RESOLVED that Council determines they wish to donate \$300.00 to this cause.
CARRIED

7.5 Memo re. Surplus Fire Equipment
Resolution 2024-172

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer
BE IT RESOLVED THAT the Staff Memo re: Surplus Fire Equipment be received and Council supports the sale of the Pumper 311 at \$29,300 and sale of the Expedition 319 at \$1750
CARRIED

7.6 Memo re. John Deere Rebate
Resolution 2024-172

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer
BE IT RESOLVED THAT Council receives Staff Memo regarding the John Deere Backhoe Rebate and approves the purchaser refund of \$6,500 and the sale price of \$21,000
CARRIED

7.7 Memo re. Town Sign
Resolution 2024-174

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman
BE IT RESOLVED THAT Council receives the memo regarding the Kearney sign and requests Staff to further investigate options.
CARRIED

7.8 Memo re: Sand Lake Boat Ramp
Resolution 2024-175

Moved by: Councillor Pateman, Seconded by: Councillor Sharer
BE IT RESOLVED THAT Council receives the Staff Memo regarding the progress achieved on the Sand Lake Boat Ramp
CARRIED

Resolution 2024-181

Moved by: Councillor Sharer; Seconded by: Councillor Pateman

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 extend the appoint of Karen Fraser as Interim Chief Administrative Officer (CAO) to perform certain duties within the municipality on a temporary basis in the absence of the Clerk Administrator;

NOW THEREFORE BE IT RESOLVED that By-law 2024-22 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.
CARRIED

Resolution 2024-182

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman

WHEREAS Section 228 (2) of the *Municipal Act 2001, S.O. 2001, c.25* as amended, provides that a Municipal Council may appoint an Acting Clerk who shall have all of the powers and duties of the Municipal Clerk under this and every other Act;

AND WHEREAS Council deems it expedient to appoint an Acting Clerk;

NOW THEREFORE BE IT RESOLVED that By-law 2024-23 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.
CARRIED

11. **Talk to the Mayor**

12. **Closed Session**

Resolution 2024-183

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney moves into closed session at 7:02pm 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 2024-184

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 8:00pm

CARRIED

13. **Confirming By-law**

Resolution 2024-185

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer

BE IT RESOLVED that By-law 2024-21 being a by-law to Confirm the Proceedings of Regular Meeting of Council on May 30, 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**

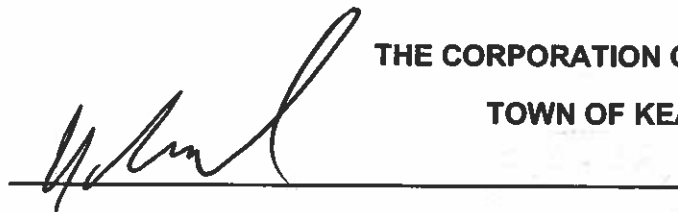
Resolution 2024-186

Moved by: Councillor Sharer; Seconded by: Councillor Pateman

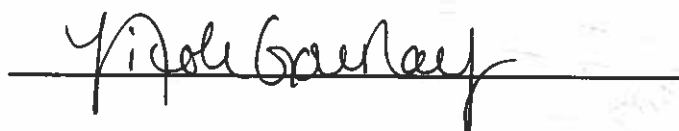
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 8:01pm to meet again at 6 pm on June 20, 2024 in the Council Chambers, Kearney, Ontario

CARRIED

THE CORPORATION OF THE
TOWN OF KEARNEY



Mayor



Clerk

~~7.9 DRAFT By-law to Appoint Acting Clerk Moved to 10.1 – By-law~~

7.10 Support Resolution – Free Water Testing

Resolution 2024-175

Moved by Councillor Pateman, Seconded by Councillor Sharer

WHEREAS the Council of the Corporation of the Town of Kearney received Discussion Item 7.10 regarding the Town of Puslinch recommendation to stop the Phase Out of Free Well Water Testing; and WHEREAS the Town of Kearney is in receipt of the February 26, 2024 letter from the Ausable Maitland Valley Source Protection Committee (via the Lake Erie Source Protection Committee Meeting of March 28, 2024) to Honourable Lisa Thompson, Ontario Ministry of Agriculture, Food and Rural Affairs concerned Public Health Ontario's recommended phase out of free well water testing; and WHEREAS the residents of the Town of Kearney do not have access to a municipal water supply and rely exclusively on well water; and

WHEREAS the phasing of free well water testing will impose an additional barrier to ensuring safe drinking water when it is already difficult to encourage residents to test their water;

BE IT RESOLVED that the Town of Kearney supports the letter from the Ausable Bayfield Maitland Valley Source Protection Committee to Minister Lisa Thompson and requests staff to send a similar letter of concern Minister Lisa Thompson, Honourable Sylvia Jones Minister of Health and Long Term Care, Honourable Andrea Khanjin Minister of the Environment, Conservation and Parks, all Ontario Municipalities, AMO, Hon. Ted Arnott, and MPP Graydon Smith.

CARRIED

~~7.11 DRAFT By-law to Appoint Interim CAO Moved to 10.2 – By-law~~

7.12 Scales Presentation re: Turtles

Resolution 2024-177

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

WHEREAS the Kearney Library Board has proposed hosting a public turtle presentation by Scales Nature Park in the gymnasium at Town Hall on June 22, 2024, at the discounted rate of \$400; and WHEREAS KWEF has proposed to finance one half of the cost, and have asked that the remaining half be funded by the Town of Kearney, and further the Gym will be at no cost;

NOW THEREFORE BE IT RESOLVED that, should the event proceed, Council supports the event and agrees to fund one half of the cost in the amount of \$200, with funds being taken from the 2024 appropriate budget line, and the Library Board be so notified.

CARRIED

7.13 Canada Day Letter from Legion

Resolution 2024-178

Moved by: Councillor Pateman, Seconded by: Councillor Beaucage

WHEREAS the Kearney Legion is hosting a community event on Saturday, June 29th, and WHEREAS this even includes a "Touch A Truck" zone; now

THEREFORE BE IT RESOLVED that Council directs Staff to have the necessary Staff and equipment available to attend the event with the Town Grader and Backhoe and available Fire Trucks and Equipment from 11 am until 2 pm.

CARRIED

7.14 Discussion re Southeast Parry Sound District Planning Board June Meeting

Resolution 2024-179

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

WHEREAS Council passed Resolution 2024-78 regarding their support of Consent to Sever Application B-041/23, B-042/23 and B-043/23; and

WHEREAS delays at the SEPSDPB have resulted in the SEPSDPB holding a final meeting in regard to these Consents in June of 2024; and

WHEREAS Mayor Cheryl Philip is the Town of Kearney representative on the SEPSDPB; now THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney wishes Mayor Philip to continue to support these Consent applications at the June 2024 meeting.

CARRIED

8. Other Business

9. Correspondence for Information

Resolution 2024-180

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman

BE IT RESOLVED that Council receive Correspondence items 9.1 through 9.5 as information items and requests that the following items be moved forward to the June 20 agenda: 9.4 Toronto Zoo re: Exotic Animals.

10. By-laws