

# The Corporation of the Town of Kearney

## REGULAR COUNCIL MEETING MINUTES

Council Chambers

Thursday, June 20, 2024 – 6:00 p.m.

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**Council Members Present:** Deputy Mayor: Michael Rickward (meeting Chair)

Councillors: Keven Beaucage, Heather Pateman, and Jill Sharer

Regrets: Mayor Cheryl Philip

**Staff Present:** Nicole Gourlay, Clerk Administrator (CA)  
Cindy Filmore, Deputy Clerk (DC)  
Paul Audette, Public Works Superintendent (PWS)  
Jason Newman (BLEO)  
Bryan Austin (BLEO)  
Matt Clouthier (CBO) remotely/virtually  
The BLEOs were present for their portion of the public meeting  
The CBO was present for his portions of the public meeting  
The DC and PW were present for the public portions of the meeting.  
The CA was present for the entirety of the meeting.

1. **Call the Meeting to Order** – the meeting was called to order at 6:02 pm
2. **Approval of Agenda**  
Resolution 2024-191  
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 June 20, 2024 be adopted as amended: Remove 5.3 Recreation Committee Minutes; Remove 12(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; Remove 12(2)(d) Labour Relations or employee negotiations  
CARRIED
3. **Disclosure of Interest**  
A Declaration of Pecuniary Interest was submitted by Deputy Mayor Rickward in regard to agenda item #7.5 as it is regarding immediate family members; A Declaration of Pecuniary Interest was submitted by Councillor Beaucage in regard to Cheque #33837 representing expenses for the NOW Caucus membership; A Declaration of Pecuniary Interest was submitted by Councillor Pateman in regard to Cheque #33855 representing expenses for council expenses; A Declaration of Pecuniary Interest was submitted by Councillor Sharer in regard to Cheque #33859 representing purchasing of 2 kids kayaks for Regatta prizes.
4. **Delegations/Presentations – Nil**
5. **Consent List**  
Resolution 2024-192  
Moved by: Councillor Beaucage, Seconded by: Councillor Sharer  
BE IT RESOLVED that the Consent List from the Regular Council Meeting of Thursday, June 20, 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 SR2024-40 KDSR Grant Application (Ontario Sports Hosting Grant)  
Resolution 2024-193  
Moved by: Councillor Beaucage, Seconded by: Councillor Pateman  
WHEREAS the Council of the Corporation of the Town of Kearney has received Staff Report SR 2024-40 regarding the Kearney Dogsled Race Committee's opportunity to apply for Provincial Funding to better support the 2025 Kearney Dogsled Races; AND WHEREAS this funding has been utilized by the Committee in the past; NOW THEREFORE BE IT RESOLVED that Council of the Corporation of the Town of Kearney hereby supports the Kearney Dogsled Race Committee's application to the Ontario Sports Hosting program of 2024- 2025  
CARRIED

**7.2 SR 2024- Bice Student Bursaries 2024**

**Resolution 2024-194**

**Moved by: Councillor Sharer, Seconded by Councillor Pateman**

**WHEREAS the Council of the Corporation of the Town of Kearney has received Staff Report SR 2024-41 regarding the awarding of the Bice Bursary for 2024; AND WHEREAS two applications were received but neither applicant is attending a forestry course; AND WHEREAS Staff feel that one applicant is attending a program that is in keeping with the essence of the Ralph Bice Legacy; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby awards the 2024 Bice Bursary of \$1,000 to Jordan Leeder in her pursuit of paramedicine studies.**

**CARRIED**

**7.3 SR 2024-42 Tenders**

**Resolution 2024-195**

**Moved by: Councillor Beaucage, Seconded by: Councillor Sharer**

**WHEREAS the Council of the Corporation of the Town of Kearney received SR 2024-42 regarding the Tenders for Public Works; AND WHEREAS Tender no 2024-01 Surface Pulverizing, Tender No 2024-02 Surface Asphalt paving; and Tender No. 2024-03 Double and Single Surface Treatment all closed with only one bidder; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby awards:**

**Tender No. 2024-01 to Roto-Mill Inc. for the amount of \$24,220 + HST**

**Tender No. 2024-02 to Fowler Construction for the amount of \$660,512.16 + HST**

**Tender No. 2024-03 to Duncor Enterprises Inc. for the amount of \$98,320 + HST**

**CARRIED**

**7.4 SR 2024-43 DRAFT Trailer By-law with Comments from Fire and Building**

**Resolution 2024-196**

**Moved by: Councillor Beaucage, Seconded by: Councillor Sharer**

**WHEREAS the Council of the Corporation of the Town of Kearney has received Staff Report SR 2024-43 regarding the Trailer By-law; AND WHEREAS considerations from the Fire Chief's remarks had been included in the updated by-law provided to Council in March of 2024; AND WHEREAS Public Comments were received and considered by Council at the May 9, 2024 Regular Council Meeting; AND WHEREAS considerations from both the Fire Chief and the Chief Building Official have been received and included as an addendum to SR 2024-43; NOW THEREFORE Be it resolved that the Council of the Corporation of the Town of Kearney directs Staff to post notice of the intent to pass the Trailer By-law at the next regular meeting of Council.**

**CARRIED**

**Deputy Mayor Rickward left the table for item 7.5 as it is a matter regarding immediate family members. Councillor Jill Sharer stepped in to Chair this portion of the meeting.**

**7.5 SR 2024-44 Rob Rickward – MNR Work Permit**

**Resolution 2024-197**

**Moved by: Councillor Beaucage, Seconded by: Councillor Pateman**

**WHEREAS the Council of the Corporation of the Town of Kearney has received Staff Report SR 2024-44 regarding Rob Rickward's application for a Work Permit with the MNR; AND WHEREAS this type of application for this same property was supported in 2021 and is in a designated Fish Habitat 1 Zone; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby supports Mr. Rickward's request for a Work Permit from the Ministry of Natural Resources to dredge a portion of his property; AND FURTHER THAT Section 6.4.4.1 of the Kearney Official Plan states: Near-shore or in-water development, such as docks, water access points, and swimming areas will not require a fish and fish habitat assessment however they shall be carefully assessed to meet the intent of the Official Plan through the appropriate review process; AND FURTHER THAT the agencies (MNR and DFO) ensure that Section 6.4.4.1 of the Kearney Official Plan is satisfied.**

**CARRIED**

**Deputy Mayor Rickward returned to the table and resumed the role of Chair for the meeting.**

**7.6 Regatta Festival Resolution re: Regatta Festival and Set up**

**Resolution 2024-198**

**Moved by: Councillor Beaucage, Seconded by: Councillor Sharer**

**BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with the request from the Regatta Committee, hereby declares the Kearney Regatta to be a community festival being held on August 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup>, 2024; AND FURTHER that all By-laws that this festival contravenes (i.e. Noise By-law regarding fireworks and the Fireworks By-law) shall be suspended during the 2024 Kearney Regatta event; 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 2024 Kearney Regatta event; AND FURTHER Council requests the Chief Building Official to inspect the tents as necessary for permit purposes; 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 from Friday August 2, 2024 at 6pm until Sunday August 4, 2024 at 11pm.

**CARRIED**

**7.7 Report to Council from Fire Chief re New Junior Fire Fighter  
Resolution 2024-199**

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

**BE IT RESOLVED** the Council of the Corporation of the Town of Kearney accepts and approves the recommendation set out in the Fire Chief's Report as Agenda item 7.7 appointing Christian Buttineau as a Junior Firefighter/First Responder; **AND FURTHER THAT** the Council of the Corporation of the Town of Kearney welcomes Christian Buttineau as a Junior Member of the Kearney Fire & Emergency Services Team.

**CARRIED**

**7.8 Support Resolution re Metro Zoo, Exotic Animals  
Resolution 2024-200**

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

**WHEREAS** Ontario has more private non-native ("exotic") wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province; **AND WHEREAS** the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of non-native ("exotic") wild animals in captivity; **AND WHEREAS** non-native ("exotic") wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province; **AND WHEREAS** the keeping of non-native ("exotic") wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife; **AND WHEREAS** owners of non-native ("exotic") wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns; **AND WHEREAS** municipalities have struggled, often for months or years, to deal with non-native ("exotic") wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges; **AND WHEREAS** the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection's campaign for provincial regulations of non-native ("exotic") wild animals and roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry; **THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Town of Kearney hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native ("exotic") wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario's citizens and the non-native ("exotic") wild animal population; **AND FURTHER THAT** that this resolution be forwarded to all municipalities in Ontario for support and that each endorsement then be forwarded to the Premier of Ontario Doug Ford, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, local MPP Graydon AMO, AMCTO, and MLEAO.

**CARRIED**

**7.9 Resolution from AHHC [additional information on desk]  
Resolution 2024-201**

Moved by: Councillor Beaucage, Seconded by Councillor Sharer

**WHEREAS** the Council of the Corporation of the Town of Kearney has received a request from the Almaguin Highlands Health Council to support the completion of a Request for Proposal for the Almaguin Highlands Healthcare Assessment and Strategic Road Map; **AND WHEREAS** the cost to complete this RFP has been determined to be approximately \$20,000; **AND WHEREAS** each municipality is requested to contribute 10% of this amount; **NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney hereby commits \$2,000 to the Almaguin Highlands Health Council for the Healthcare Assessment and Strategic Road Map; **AND FURTHER THAT** these funds be pulled from working reserves.

**CARRIED**

**7.10 Regional Fire Services Committee  
Resolution 2024-202**

Moved by Councillor Beaucage, Seconded by Councillor Sharer

**WHEREAS** the Council of the Corporation of the Town of Kearney has previously appointed Councillor Pateman and Deputy Mayor Rickward to the Regional Fire Services Committee; **AND WHEREAS** the Regional Fire Services Committee has requested that each Council may appoint one representative and one alternate; **NOW THEREFORE BE IT RESOLVED** that Councillor Heather Pateman shall serve as the Representative for Kearney and Deputy Mayor Michael Rickward shall serve as the alternate; **AND FURTHER THAT** the Council of the Corporation of the Town of Kearney hereby agrees to commencing the quarterly meetings of the Regional Fire Services Committee on August 22, 2024;

AND FURTHER THAT the Terms of Reference for the Regional Fire Services Committee be approved as submitted.

CARRIED

7.11 Planning Report re: Dallaire Consent  
Resolution 2024-203

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney hereby supports Consent Application B-005/24 (Dallaire) subject to the following conditions:

1. A development Agreement with the Town of Kearney be entered into, regarding access to the subject lands via the private Right of Way, Dallaire Lane and registered on title.
2. That prior to the finalization of consent, confirmation that the North Bay Mattawa Conservation Authority has outlined in writing that there is a suitable location for a septic system on the retained lands.
3. Confirmation in writing from the Town of Kearney that a 911 Address Number to the new lot created has been assigned.
4. A payment-in-lieu of a parkland dedication shall be paid in accordance with Section 51.1 of the Planning Act acceptable to the Town of Kearney in cash or certified cheque.
5. That all Municipal taxes to date shall be paid in full.
6. The applicant provides confirmation from the Town of Kearney Public Works Department with respect to entrance approval.
7. That all Town fees and disbursements (legal, engineering, planning), if any incurred by the Town with respect to this application shall be paid for by the owner.
8. A draft reference plan of survey be provided to the Town of Kearney for review prior to registration.
9. 2 paper and 1 digital copy of the reference plan be provided to the Town of Kearney after Registration.

CARRIED

## 8. Other Business

8.1 MMAH Training for Council and Staff  
Resolution 2024-204

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney requests training from the Municipal Affairs Representatives and Integrity Commissioner for Council and Staff for a variety of topics, subject to budgetary provisions.

CARRIED

8.2 Availability and Scheduling of the Seniors Room  
Resolution 2024-205

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney requests the consideration of the use of the Seniors Room for meetings be scheduled in a manner that would not interfere with the Kearney Seniors & Crafts use of their room.

CARRIED

Lost internet connectivity at 7:08pm

Resolution 2024-206

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney deems it necessary to proceed with tonight's meeting after losing connectivity at 7:08 pm contrary to Section 3.4 of the Town of Kearney's Procedural By-law 2023-52

CARRIED

8.3 Transfer Station Tipping Fees  
Resolution 2024-207

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

WHEREAS the Council of the Corporation of the Town of Kearney has heard from their constituents that the changes to the Transfer Stations fees in 2023/24 are exorbitant; AND WHEREAS Council has determined their desire to review the Transfer Station Fees as set out in the Fees and Charges By-law 2023-64; NOW THEREFORE BE IT RESOLVED that Staff be directed to review the current Transfer Station Fees as set out in By-law 2023-64 with considerations to include: Costs of individual items vs trailer load costs; The need for cost recovery be discussed and consideration given to current taxation coverage of this expense; The use of a "free to good home" table or area be discussed; The perceived increase in roadside "dumping"; A re-evaluation of the entire Transfer Station operations; AND FURTHER that this report be brought to Council by the end of September.

CARRIED

8.4 Buoy purchase for Regatta

Resolution 2024-208

Moved by: Councillor Pateman, Seconded by: Councillor Beaucage

WHEREAS the Regatta Committee has determined a need for safe and resilient buoys to be purchased for use during the Kearney Regatta and other events in the waterways of Kearney; AND WHEREAS this purchase represents an outlay of \$114.99 each and we require 5 in total, which is outside of the Regatta Budget; NOW THEREFORE BE IT RESOLVED Council approve the purchase of 5 marine safety buoys at a total cost of \$574.95 plus HST; AND FURTHER THAT this expense be pulled from the Regatta Reserve.

CARRIED

9. Correspondence for Information

Resolution 2024-209

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED that Council receive Correspondence items 9.1 and 9.2 as information items and that item 9.1 be discussed further.

CARRIED

Resolution 2024-210

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

WHEREAS Ontario's small rural municipalities face insurmountable challenges to fund both upfront investments and ongoing maintenance of their capital assets including roads and bridges and water wastewater and municipally owned buildings including recreational facilities and libraries; AND WHEREAS in 2018, the Ontario government mandated all Ontario municipalities to develop capital asset management plans with the stipulation that they be considered in the development of the annual budget; AND WHEREAS small rural municipalities (of 10,000 people or less) are facing monumental infrastructure deficits that cannot be adequately addressed through property tax revenue alone; AND WHEREAS the only application approved through the recently awarded Housing Accelerator Fund to a small rural municipality was to Marathon Ontario, who received an allocation of \$1.9 million dollars while over \$1.369 billion going to Ontario's large urban centres, resulting in a 0.2% investment in rural Ontario; AND WHEREAS the Ontario Government has committed \$9.1 billion to Toronto alone to assist with operating deficits and the repatriation of the Don Valley and Gardner Expressway; AND WHEREAS small rural Ontario cannot keep pace with the capital investments required over the next 20 years unless both the Provincial and Federal Governments come forward with new sustainable infrastructure funding; AND WHEREAS it is apparent that both the Federal and Ontario Governments have neglected to recognize the needs of small rural Ontario; NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Kearney hereby support Township of Pelee's resolution calling on the Ontario and Federal Government to implement sustainable infrastructure funding for small rural municipalities; AND THAT small rural municipalities are not overlooked and disregarded on future applications for funding; AND THAT both the Federal and Ontario Governments begin by acknowledging that there is an insurmountable debt facing small rural municipalities; AND THAT both the Federal and Ontario Governments immediately commission a Working Group to develop a plan on how to deal with the impending debt dilemma; and finally THAT this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada; The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; Michel Tremblay Acting President and CEO, Canada Mortgage and Housing Corporation; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; MP Scott Aitchison, Parry Sound- Muskoka; MPP Graydon Smith, Parry Sound Muskoka; AMO, ROMA, FCM, and all Municipalities in Ontario.

CARRIED

10. By-laws

Resolution 2024-211

Moved by: Councillor Beaucage, Seconded by: Councillor Pateman

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: 10.2 By-law 2024-25 Being a by-law to Amend Zoning By-law 2022-20; 10.3 By-law 2024-26 Being a by-law to Appoint Chief Building Official; AND FURTHER direct Staff to investigate backdating of 10.3, position of Chief Building Official on effective date.

CARRIED

11. Talk to the Mayor

**12. Closed Session**

Resolution 2024-212

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney moves into closed session at 8:10pm under Section 239(2) of the Municipal Act, under the following subsections:

(b) Personal Matters about an Identifiable Individual

CARRIED

Resolution 2024-213

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 8:33pm

CARRIED

**13. Confirming By-law**

Resolution 2024-214

Moved by: Councillor Beaucage, Seconded by: Councillor Sharer

BE IT RESOLVED that By-law 2024-27 being a by-law to Confirm the Proceedings of Special Council Meeting of June 11, 2024 and the Regular Meeting of Council on June 20, 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 2024-215


Moved by: Councillor Pateman, Seconded by: Councillor Beaucage

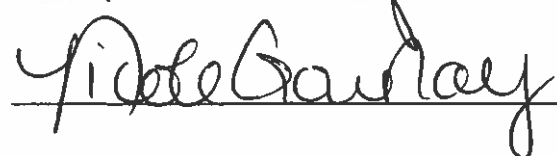
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 8:36 pm to meet again at 6 pm on July 11, 2024 in the Council Chambers, Kearney, Ontario.

CARRIED

**THE CORPORATION OF THE**

**TOWN OF KEARNEY**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk