

The Corporation of the Town of Kearney

REGULAR COUNCIL MEETING MINUTES Council Chambers Thursday, August 1, 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: Nicole Gourlay, Clerk Administrator
Cindy Filmore, Deputy Clerk (DC)
Paul Audette, Public Works Superintendent (PWS)
The DC and PWS were present for the public portions of the meeting.
The CA was present for the entirety of the meeting.

A Moment of Silence was held to honour the memory of Joanne Bonazza

1. **Call the Meeting to Order**
The meeting was called to order at 6:00 p.m.
2. **Approval of Agenda**
Resolution 2024- 239
Moved By: Councillor Beaucage; Seconded by Councillor Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney adopts the August 1, 2024 Agenda as circulated.
CARRIED
3. **Disclosure of Interest**
None were noted.
4. **Delegations/Presentations - nil**
5. **Consent List**
Resolution 2024-240
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Consent List from the Regular Council Meeting of Thursday, August 1, 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 Memo – Update Sand Lake Boat Launch
Resolution 2024- 241
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 the Staff Memo – Update Sand Lake Boat Launch.
CARRIED
 - 7.2 SR2024-52 John Deere Backhoe Information
Resolution 2024- 242
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives SR2024-52 John Deere Backhoe Information.
CARRIED
 - 7.3 SR2024-53 Rock Point Road
Resolution 2024-243
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives SR2024-53 Rock Point Road deviation and directs Staff to reach out to the Planning Board as well as the current owner to request a one third split of the Town's legal fees to rectify the transfer of the deviation road to the Town of Kearney

CARRIED

7.4 SR2024-54 Fire Chief Regatta Fireworks Report

Resolution 2024-244

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and approves SR2024-54 regarding the Fireworks Permit for the Regatta and approves the Fireworks Permit Application from Pyroworld.

CARRIED

7.5 DRAFT E&R By-law Review

Resolution 2024-245

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

WHEREAS the Fire Chief has identified the need to update our current by-law to Establish and Regulate Fire and Emergency Services in the Town of Kearney;

AND WHEREAS Council recognizes the authority granted under each of the *Municipal Act, S.O. 2001, c. 25*, as amended, and the *Fire Protection and Prevention Act, 1997, S.O., c.4*, as amended, to pass said by-law;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney, approves in principle the passing of an updated by-law to Establish and Regulate Fire and Emergency Services in the Town of Kearney pending the changes noted on the DRAFT copy which be brought back to Council for passing on September 5th, 2024.

CARRIED

7.6 SR2024-55 Planning Update – Options re: ZBL Housekeeping Amendment & Site Alteration By-law
Resolution 2024-246

Moved by Deputy Mayor Rickward ; Seconded by: Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts SR2024-55 regarding the options surrounding the Zoning By-law Housekeeping Amendments and Site Alteration By-law, which included the following options:

- a) Begin both the Zoning By-law Housekeeping updates started as well as the Site Plan Alteration By-law started immediately.
- b) Only begin the Site Alteration By-law and wait to begin work on the Zoning By-law Housekeeping update only after the Official Plan and Strategic Plan has begun and information provided from the public.
- c) Evaluate the need for a Site Alteration By-law through the public engagement sessions for the Official Plan and Strategic Plan and begin the Zoning By-law Housekeeping Update immediately.
- d) Staff not move forward on either the Zoning By-law Housekeeping update or Site Alteration By-law to gain public input through the Official Plan and Site Alteration By-law to better understand what the public's end result is with the changes suggested previously and look into implementing something similar to the By-law passed in Armour Township where they regulate Tree Cutting in the Shoreline area.
- e) Move forward with nothing at this point, until we have had an opportunity to hear from the public on their opinions through the Official Plan and Strategic Planning engagement sessions on all items they would like addressed and updated in the Zoning By-law and gauge the necessity of a Site Alteration By-law after hearing from the public.

AND FURTHER; that Council chooses option e and directs Staff to proceed.

CARRIED

7.7 Memo – Town Hall Dates

Resolution 2024-247

Moved by: ; Seconded by:

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts the Memo from the Clerk Administrator regarding the Town Hall Meeting and directs Staff to: Search dates to establish Staff ability to attend & post a Public Survey for input on agenda topics. Potential dates August 18, 20 or 23 in the evening and Sunday, September 8th @ 1:00 pm – 3:00pm

CARRIED

7.8 Memo – Training from MMAH and Integrity Commissioner

Resolution 2024-248

Moved by: Councillor Beaucage ; Seconded by: Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts the Memo from the Clerk Administrator regarding training from MMAH and the Integrity Commissioner.

CARRIED

7.9 DRAFT Consent Agreement – Pannbros

Resolution 2024-249

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

WHEREAS the Council of the Corporation of the Town of Kearney has received and reviewed the DRAFT Consent Agreement Bylaw with Pannbros. Inc.;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney approves the DRAFT Consent Agreement – Pannbros Inc.;

AND FURTHER THAT this agreement form part of By-law 2024-33 that is intended to be passed later in this meeting.

CARRIED

7.10 Memo – Muskoka Watershed Request for Donation
Resolution 2024-

Moved by: ; Seconded by:

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts the Staff Memo regarding the Muskoka Watershed Request for Donation which included the following options:

- a) to hold over any donation requests not included in the 2024 budget until 2025, informing applicants to re-apply for next year
- b) to utilize reserve funds to fulfill donation requests
- c) to direct Staff to provide a donation policy for their consideration going forward (this may include directions to those wishing to apply for funding, set policies as to the frequency and types of donations considered, etc.)
- d) to consider their general donations in the upcoming 2025 budget to address these expenditures and determine if the 2024 amount was sufficient for the year.
- e) To decline to donate at this time and direct Staff to prepare a policy with regard to donation requests outside the budget.

AND FURTHER; that Council chooses option e and directs Staff to proceed.

CARRIED

8. Other Business

9. Correspondence for Information

Resolution 2024- 251

Moved by: Councillor Pateman; Seconded by: Councillor Beaucage

BE IT RESOLVED that Council receives the August 1st Correspondence list.

CARRIED

10. By-laws

Resolution 2024- 252

Moved by: , Seconded by:

BE IT RESOLVED 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 2024-28 Being a By-law to Enter into a Consent Agreement (Pannbros)

CARRIED

11. Closed Session

Resolution 2024- 253

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney moves into closed session at 7:52 pm under Section 239(2) of the Municipal Act, under the following subsections:

- (2)(c) a Proposed or Pending Acquisition or Disposition of Land by the Municipality
or Local Board

CARRIED

Resolution 2024-254

Moved by: Councillor Pateman , Seconded by: Councillor Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvenes in Open Session at 8:22 pm

CARRIED

Resolution 2024-255

Moved by: Councillor Pateman; Seconded by: Councillor Beaucage

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney, after discussing in closed session, agree to gift the lands “PT LT 1 CON 11 Bethune, as in BE 234 Except PT 6 42R3606 S/T BE234, Kearney” back to the Follick family;

AND FURTHER that Council deems it appropriate to dispose of the above lands contrary to their Sale of Land By-law 2024-20.

CARRIED

12. Confirming By-law

Resolution 2024- 256

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

BE IT RESOLVED that By-law 2024-34 being a by-law to Confirm the Proceedings of Regular Meeting of Council on August 1, 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

13. Adjournment

Resolution 2024- 57

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

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 8:24 pm to meet again at 2 pm on August 12, 2024 in the Council Chambers, Kearney, Ontario

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**

Mayor

Clerk

DRAFT