

The Corporation of the Town of Kearney
REGULAR COUNCIL MEETING MINUTES
Council Chambers
Thursday, September 26, 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 (CA)
Cindy Filmore, Deputy Clerk (DC)
Paul Audette, Public Works Superintendent (PWS)
Paul Schaefer, Fire Chief
The DC, FC 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 memories of Luke Lumley, Marty Corcoran and to recognize that September 30th 2024 as National Day for Truth and Reconciliation

1. **Call the Meeting to Order**
The meeting was called to order at 6:03 p.m.
2. **Approval of Agenda**
Resolution 2024- 296
Moved by: Councillor Pateman; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney adopts the Agenda of September 26, 2024 as circulated.
CARRIED
3. **Disclosure of Interest**
None were noted.
4. **Delegations/Presentations**
Nil
5. **Consent List**
Resolution 2024-297
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Consent List from the Council Meeting of Thursday, September 26, 2024 be accepted and that all recommendations or support contained therein be adopted and approved as resolutions of Council except for items: 5.2, 5.4 and 5.6 which shall be referred to 6. Items Referred from the Consent List on the agenda.
CARRIED
6. **Items Referred from the Consent List**
Discussion took place regarding:
 - 5.2 items from the cheque register
 - 5.4 items from the resolution report
 - 5.6 items from the RFSC minutes
Resolution 2024-298
Moved by: Councillor Beaucage; Seconded by: Deputy Mayor Rickward
BE IT RESOLVED THAT Council directs Staff to bring invoices to Closed Session at the next Council Meeting, October 17 2024 pertaining to Cheque #34106 in the amount of \$29,595.84 and Cheque # 34127 in the amount of \$3619.84
CARRIED
7. **Items for Discussion**

7.1 Memo and DRAFT E&R By-law
Resolution 2024- 299
Moved by: Councillor Beaucage ; Seconded by: Councillor Pateman

WHEREAS Council received the DRAFT Emergency & Response By-law at the August 1st, 2024 Regular Council Meeting; AND WHEREAS Council posed questions to Staff regarding definitions and compatibility with other area fire departments; NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney, approves the draft by-law to Establish and Regulate Fire and Emergency Services in the Town of Kearney as presented;
CARRIED

7.2 Memo: Truck 314 Update

Resolution 2024- 300

Moved by: Councillor Sharer; Seconded by: Councillor Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts Memo: Pumper/Tanker 314 from the Fire Chief; AND FURTHER THAT Council supports the FC request to have Truck 314 sent to Battleshield Industries for repair recognizing the cost may be \$5,000 plus associated fees for pick up/delivery of repaired truck and will cause a budget overrun of approximately \$5,000.

CARRIED

7.3 RFSC Terms

Resolution 2024-301

Moved by: Deputy Mayor Rickward; Seconded by Councillor Pateman

WHEREAS the Council of the Corporation of the Town of Kearney has received Regional Fire Services Committee (RFSC) Terms of Reference for their review: AND WHEREAS 2 noted changes were made at the past RFSC meeting:

- Updating the name of the Committee from “South Almaguin Regional Fire Services Committee” to “Southeast Almaguin Regional Fire Services Committee” and
- Amending the cost section from “Any costs associated will be determined and provided to member municipalities, to be payable on a 1/7 share by each municipality to “Any RFSC costs associated will be determined and provided to member municipalities, to be payable on a 1/7 share by each municipality”

AND WHEREAS the Council of the Corporation of the Town of Kearney supports the above changes; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby approves the RFSC Terms of Reference as presented. .

CARRIED

7.4 SR 2024-58 – Increase in Contribution for Live Fire Unit

Resolution 2024-302

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-2024-58 from the Fire Chief; AND FURTHER THAT Council supports that the additional cost of \$76,211.69 above the already budgeted \$20,000 be split between the five departments for a share each of \$15,242.34 for the project to be completed; AND FURTHER that should there be any potential contravention of the procurement by-law, that Council waive said by-law for this joint purchase.

CARRIED

7.5 SR 2024-59 – Waste Management Report

Resolution 2024-303

Moved by: Councillor Sharer; Seconded by: Councillor Pateman

BE IT RESOLVED THAT Council agrees to Continue to complete curbside pickup unless Staff demonstrates that the Town does not hold a valid certificate to allow such waste transportation and further that the affected residents will be given ample notice should the Town be required to end this service

CARRIED

Resolution 2024-304

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts SR2024-59 regarding the Waste Management Update; AND FURTHER THAT Council directs Staff to investigate the following options: 2, 3, 5, 6, 7, 8, 11, 12 and adjust Tipping Fees to reflect clean burnable brush and clean wood FREE, construction waste measured by cu. ft. @ \$1.50 per cu.ft. & a small items fee clarification and shingles @ \$2.50 per cu. ft.

CARRIED

7.6 Memo: Sand Lake Boat Ramp Update

Resolution 2024-305

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives the Staff Memo regarding the Sand Lake Boat Launch and hereby directs Staff as follows: 1. To have the Public Works Superintendent attempt to obtain three quotes from contractors to provide the rip-rap and any other material for the project. 2. That Council determines it necessary to move forward in this manner contrary to Procurement By-law 2011-78; 3. Council directs Staff to transfer the budget amount to reserves to be used in the 2025 Budget Year.
CARRIED

7.7 Memo: Lions Pavilion Revamp Update
Resolution 2024-306

Moved by: Councillor Pateman; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives and accepts the Staff memo from Paul Audette regarding the Lion's Pavilion and hereby directs staff to move forward with the Retrofit Building Code Review in the amount of \$14,040 plus HST with the scope of work outlined in Tatham Engineering's Proposal of August 13th, 2024.
CARRIED

7.8 Memo: FORD 550/1 Ton
Resolution 2024-307

Moved by: Deputy Mayor Rickward; Seconded by: Councillor Sharer
BE IT RESOLVED the Council of the Corporation of the Town of Kearney receives and accepts the Staff Memo regarding the Ford 550 / 1 Ton safety expense; AND WHEREAS the amount of repairs required to pass the safety and the required amounts to provide for licensing are beyond the budgeted line amount in the approved 2024 Budget; AND WHEREAS these costs are required to be paid to remain compliant with legislation; NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney approves the average in the amount of \$6,310.00 for the Ford 550/1 Ton Safety.
CARRIED

7.9 DRAFT Agreement – Circular Materials
Resolution 2024-308

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman
WHEREAS the Council of the Corporation of the Town of Kearney has received a DRAFT agreement with Circular Materials to provide Depot & Curbside Operations for the provision of collection and transportation of regulated Recycling materials from October 1, 2025 to December 31, 2025; AND WHEREAS Council has received a recommendation for the PWS that supports the signing of this agreement; NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney approves the agreement attached as item 7.9 on this agenda; AND FURTHER THAT a by-law to authorize the execution of the agreement be passed later in the meeting.
CARRIED

7.10 DRAFT Development Agreement - Friedland
Resolution 2024-309

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman
WHEREAS the Owner (Friedland) obtained, from the Southeast Parry Sound District Planning Board (Files B-002/24 & B-003/24) conditional approval of consent to sever the subject lands (the "Severance Approval") into two severed lots and one retained lot; AND WHEREAS the conditions of approval require the Owner to enter into a development agreement pursuant to section 53 of the *Planning Act*, and to register such Agreement on title to the lands; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby approves in principle the DRAFT development agreement as outlined in item 7.10 on the agenda; AND FURTHER THAT a by-law to authorize the execution of the development agreement be passed later in the meeting
CARRIED

7.11 Memo: Committees of Council
Resolution 2024-310

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer
WHEREAS the Council of the Corporation has received Staff Memo regarding the current Council Committee Structure; NOW THEREFORE BE IT RESOLVED that Council directs Staff to move forward with a committee structure that: removes Roads Committee, Budgetary Advisory Committee & By-law Committee and that Council will move forward after a final Road Committee meeting in October to hold a formal Town Hall Meeting to address Roads in November or December.
CARRIED

7.12 Memo: Integrity Commissioner Training

Resolution 2024-311

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

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney hereby receives Memo: Integrity Commissioner Training. Training to be booked for early November.
CARRIED

7.13 Memo: IT Update

Resolution 2024-312

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney hereby receives Memo: IT Update from C-A

7.14 Santa Claus Charity Ski Show Road Closure November 2, 2024

Resolution 2024-313

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

WHEREAS the organizers of the Santa Claus Charity Ski Show 2024 have requested to close Main St from Lakeview Ave to Rain Lake Rd from 12pm to 3pm on November 2, 2024; AND WHEREAS Staff and emergency personnel have been notified and have no concerns with the closure of the road; NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the Town of Kearney authorizes the closure of Main St between Lakeview Ave and Rain Lake Rd on November 2, 2024 from 12pm to 3pm for the Santa Claus Charity Ski Show.
CARRIED

8. Other Business - Nil

9. Correspondence for Information

Resolution 2024-314

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

BE IT RESOLVED that Council receives the September 26th Correspondence list.
CARRIED

10. By-laws

Resolution 2024- 315

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman

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 2024-42 to Enter into Agreement with Circular Materials; 10.2 By-law 2024-43 to Enter into an Agreement with Friedland
CARRIED

11. Closed Session

Resolution 2024- 316

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney moves into closed session at 9:22 pm under Section 239(2) of the Municipal Act, under the following subsections:

(2)(b) Personal Matters about an Identifiable Individual; (2)(d) Labour Relations or Employee Negotiations; (3.1) Council Training.

CARRIED

Resolution 2024-317

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney reconvenes in Open Session at 11:25 pm

CARRIED

Resolution 2024-318

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

BE IT RESOLVED THAT the in relation to curfew the Council of the Corporation of the Town of Kearney directs staff to note that Council has gone past the 4-hour curfew.

CARRIED

Resolution 2024-319

Moved by: Councillor Beaucage; Seconded by: Councillor Pateman

BE IT RESOLVED THAT Council establishes a performance review committee for the C-A consisting of Michael Rickward and Jill Sharer for 2024

CARRIED

12. Confirming By-law

Resolution 2024- 320

Moved by: Councillor Pateman; Seconded by: Councillor Sharer

BE IT RESOLVED that By-law 2024-44 being a by-law to Confirm the Proceedings of the Regular Meeting of Council of September 26, 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 2024-321

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 11:27 pm to meet again at 6 pm on October 17, 2024 in the Council Chambers, Kearney, Ontario

CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**

Mayor

Clerk

DRAFT