

The Corporation of the Town of Kearney
REGULAR COUNCIL MEETING MINUTES
Council Chambers
Thursday, October 17, 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)
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 memories of Paul Genest, 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 6:34 p.m.
2. **Approval of Agenda**
Resolution 2024- 322
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney adopts the Agenda of October 17, 2024 as amended: To include the Fire Report and the Grader Report and to Deferral the Trailer By-law until proper notice is given to the Public
CARRIED
3. **Disclosure of Interest**
None were noted.
4. **Delegations/Presentations**
Nil
5. **Consent List**
Resolution 2024-323
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Consent List from the Council Meeting of Thursday, October 17, 2024 be accepted and that all recommendations or support contained therein be adopted and approved as resolutions of Council except for items: 5.1 (Moment of Silence), 5.4, 5.5, 5.6, 5.7 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:
 - 5.1 Council Minutes – Moment of Silence for Luke Lumley, Marty Corcoran and to commemorate the September 30th National Day of Truth and Reconciliation
 - 5.4 items from the resolution report
 - 5.5 September 10 Recreation Committee Minutes
 - 5.6 Support Resolution re: Solve the Crisis
7. **Items for Discussion**
 - 7.1 DRAFT Trailer By-law
**Deferred
 - 7.2 SR 2024-66 re: Grant Applications
Resolution 2024- 324
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 SR 2024-66 regarding Grant Applications;

AND FURTHER directs Staff to complete applications for: Community Space and Recreation Infrastructure Funds and any other going forward that appear to meet our needs.
CARRIED

7.3 ROMA Attendance

Resolution 2024-325

Moved by: Councillor Sharer; Seconded by Councillor Pateman

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that we will not attend the 2025 ROMA Conference

CARRIED

7.4 OGRA Conference Attendance

Resolution 2024-326

Moved by: Councillor Pateman; Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby determines that the following members of Staff shall attend the 2025 annual OGRA Conference: Paul Audette will go or alternatively a Roads Crew Member or Both.

CARRIED

7.5 Town Hall Meeting Date and Agenda

Resolution 2024-327

Moved by: Councillor Pateman; Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that, due to Staff and Council scheduling, the Council meeting scheduled for November 7, 2024 be moved to November 14, 2024.

CARRIED

**** DUE TO ON-GOING TECHNICAL DIFFICULTIES WITH INTERNET CONNECTIVITY THE FOLLOWING RESOLUTION WAS PASSED:

Resolution 2024-328

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

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney deems it necessary to continue the Regular Council Meeting of October 17, 2024 contrary to Section 3.5 of the Town of Kearney procedural by-law 2023-52

CARRIED

7.6 Town Hall Meeting Date and Agenda

Resolution 2024-329

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

WHEREAS the Council of the Corporation of the Town of Kearney has determined their desire to host a Town Hall meeting; AND WHEREAS this meeting will necessitate the availability of both space, Council and Staff; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney determines that a Public Town Hall Meeting will be held on Thursday December 12, 2024 @6pm – 8 pm with the agenda to include an opportunity for the Public to address Road concerns.

7.7 Planning Report: Bennett Consent Application

Resolution 2024-330

Moved by: Councillor Pateman; Seconded by: Councillor Beaucage

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receive the report dated October 8, 2024 from EcoVue Consulting Services regarding applications B-040/24 and B-041/24 (Bennett); AND FURTHER that Council recommend approval of Consent to Sever Applications B-040/24 and B-041/24 to the Southeast Parry Sound District Planning Board, with the following conditions:

1. An application for Zoning By-law Amendment is required, that rezones the subject lands to recognize the existing and proposed future use of the proposed severed and retained lots, to the discretion of the Town of Kearney.
2. A Topographic Survey prepared by an Ontario Land Surveyor (O.L.S) be undertaken showing the elevations of the proposed lots to demonstrate the proposed Severed Lot #1 is located outside of the hazardous area and that the new lots have a sufficient development envelope outside of the hazardous area. Following the EIS, the wetland boundary shall also be delineated on the topographic survey, to the discretion of the Town of Kearney.

3. A Floodplain Analysis prepared by a qualified professional to assess the extent of the floodplain hazard on the subject property and proposed severed lots. ONLY ON SEVERED LOT 1

4. An Environmental Impact Statement (EIS) to evaluate for species at risk, and to evaluate and delineate the potential wetland feature on the subject property in order to demonstrate that the proposed severances are located outside of the wetland feature. ONLY ON SEVERED LOT 1

5. A Development Agreement with the Town of Kearney be entered into, and registered on title, requiring the implementation of any mitigation measures required by the Environmental Impact Statement (EIS), to the discretion of the Town of Kearney.

6. That prior to the finalization of consent, confirmation that the North Bay Mattawa Conservation Authority has no concerns or objections regarding sewage disposal systems on the subject lands, shall be provided.

7. Confirmation in writing from the Town of Kearney that entrances to the new lots created have been installed to the satisfaction of the Town and 911#s been assigned and installed.

8. 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.

9. That all Municipal taxes to date shall be paid in full.

10. 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.

11. A draft reference plan of survey, prepared by an Ontario Land Surveyor (O.L.S.) be provided to the Town of Kearney for review prior to registration.

CARRIED

7.8 SR 2024-67 re TAB Corp Consent Application

Resolution 2024-331

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer

BE IT RESOLVED that the Council of the Town of Kearney receives SR 2024-67 regarding Consent Applications B-042/24 (Tab Corporation) & B-043/24 (Wallace); AND FURTHER that the Council of the Corporation of the Town of Kearney supports Consent Applications B-042/24 (Tab Corporation) & B-043/24 (Wallace) with the following conditions:

1. A draft reference plan of survey, prepared by an Ontario Land Surveyor (O.L.S.) be provided

to the Town of Kearney for review prior to registration.

2. That all Municipal taxes to date shall be paid in full.

3. 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.

CARRIED

7.9 Planning Report: Johnson Consent Application

Resolution 2024-332

Moved by: Councillor Sharer, Seconded by Councillor Beaucage

BE IT RESOLVED that the Council of the Town of Kearney receives the Planning Report from EcoVue Consulting Services regarding Consent Applications B-038/24 (Johnson) ;

AND FURTHER that the Council of the Corporation of the Town of Kearney supports Consent Applications B-038/24 (Johnson) with the following conditions:

1. A draft reference plan of survey, prepared by an Ontario Land Surveyor (O.L.S.) be provided to the Town of Kearney for review prior to registration.

2. That all Municipal taxes to date shall be paid in full.

3. 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.

CARRIED

7.10 SR 2024-68 Re: RFP Results: Strategic Plan, Official Plan, ZBLA

Resolution 2024-333

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 accepts SR 2024-68 regarding the RFP for a Strategic Plan, Official Plan and Zoning By-law updates; AND FURTHER that Council awards the RFP to EcoVue Planning Consultatns in the amount of \$148,735.00 + HST

CARRIED

7.11 SR 2024-69 Shore Road Allowance Purchase Request

Resolution 2024-334

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer

BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney approves in principle the sale of the shore road allowance in front of 53 Main Street, Con. 11 Part lot 35

(MacKay) subject to confirmation on the frontage boundaries of the applicants property; AND FURTHER that Staff be directed to move forward with the steps to allow this purchase.
CARRIED

7.12 Memo: John Deere Grader
Resolution 2024-335

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 SR 2024-70 regarding the Town Graders; AND FURTHER directs Staff to take money from Equipment Reserves and have AFC rebuild the motor; AND FURTHER permission is given to rent a grader from Toromont on an as needed basis.
CARRIED

8. Other Business - Nil

9. Correspondence for Information

Resolution 2024-336

Moved by: Councillor Pateman; Seconded by: Councillor Sharer
BE IT RESOLVED that Council receives the October 17th Correspondence list.
CARRIED

10. By-laws

Resolution 2024- 337

Moved by: Councillor Pateman; Seconded by: Councillor Beaucage
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 2024-44 to Establish & Regulate Fire and Emergency Services
CARRIED

11. Closed Session

Resolution 2024- 338

Moved by: Councillor Beaucage; Seconded by: Deputy Mayor Rickward
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney moves into closed session at 8:12 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.
CARRIED

Resolution 2024- 339

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 9:30 pm.
CARRIED

Resolution 2024-340

Moved by: Deputy Mayor Rickward; Seconded by: Councillor Sharer
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney amends the agenda to include (2)(f) advice subject to solicitor-client privilege
CARRIED

12. Confirming By-law

Resolution 2024- 341

Moved by: Councillor Pateman; Seconded by: Councillor Sharer
BE IT RESOLVED that By-law 2024-45 being a by-law to Confirm the Proceedings of the Regular Meeting of Council of October 17, 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 2024-342

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 9:32 pm to meet again on November 7, 2024 in the Council Chambers, Kearney, Ontario
CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**

Mayor

Clerk

DRAFT