

The Corporation of the Town of Kearney
REGULAR COUNCIL MEETING MINUTES
Council Chambers
Thursday, November 28, 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 (FC)

Staff were present for the entirety of the meeting.

A Moment of Silence was held to honour the memories of Marilyn Boyd and Dona Leflar

1. **Call the Meeting to Order**
The meeting was called to order at 6:00 p.m.
2. **Approval of Agenda**
Resolution 2024- 371
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney adopts the Agenda of November 28, 2024 as circulated
CARRIED
3. **Disclosure of Interest**
Councillor Sharer declared a pecuniary interest regarding agenda item 5.2 (payment register)
Councillor Beaucage declared a pecuniary interest regarding agenda item 5.2 (payment register)
Councillor Pateman declared a pecuniary interest regarding agenda item 7.5 (Telethon donation)
4. **Delegations/Presentations/Public Meetings**

Kick-Off to the Town of Kearney Strategic Plan, Official Plan and Zoning By-law Update

Resolution 2024-372
Moved by: Councillor Beaucage, Seconded by: Councillor Pateman
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney wishes to thank EcoVue Consulting for their Kick-off Presentation and looks forward to working together on this important project.
CARRIED
5. **Consent List**
Resolution 2024-373
Moved by: Councillor Pateman; Seconded by: Deputy Mayor Rickward
BE IT RESOLVED that the Consent List from the Council Meeting of Thursday, November 28, 2024, be accepted and that all recommendations or support contained therein be adopted and approved as resolutions of Council
CARRIED
6. **Items Referred from the Consent List**
Nil

7. Items for Discussion

7.1 Fire Chief Updates – 314

Resolution 2024-374

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby receives and accepts the Fire Chief's report regarding Pumper/Tanker 314; AND FURTHER that Council approves the payment of the total cost of repairs, testing and delivery for Pumper/Tanker 314 at a cost of \$9,112.25 to Battlefield Industries.

CARRIED

7.2 DRAFT Fees & Charges By-law

Resolution 2024- 375

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney gives Staff direction to remove the setup fee in Schedule "D" for community centre fees in the Fees and Charges By-law.

CARRIED

7.3 DRAFT Procedural By-law

Resolution 2024-377

Moved by: Councillor Beaucage; Seconded by Deputy Mayor Rickward

WHEREAS the Council of the Corporation of the Town of Kearney requested at the November 14, 2024 meeting that Staff provide a DRAFT updated Procedural By-law; AND WHEREAS Staff have provided a DRAFT updated Procedural By-law; NOW THEREFORE BE IT RESOLVED that Council accepts the DRAFT Procedural by-law with the noted amendments; AND FURTHER Council directs Staff to proceed with passing the DRAFT Procedural by-law with the noted amendments at the December 19, 2024 meeting.

CARRIED

7.4 Declare surplus lands – PT LT 1 CON 11 BETHUNE as in BE234 except PT 6 42R3606 s/t BE234 (Follick)

Resolution 2024-377

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer

WHEREAS the Council of the Corporation of the Town of Kearney gave direction in resolution 2024-255 to gift the lands formerly owned by the Follick family back to the Follick family; AND WHEREAS, in accordance with By-law 2024-20 being the Sale of Land By-law, Council must declare the lands to be surplus lands prior to gifting; NOW THEREFORE BE IT RESOLVED that Council hereby declares the lands known as Pt Lt 1 Con 11 Bethune as in BE234 except Pt 6 42R3606 s/t BE234 to be Surplus Lands in accordance with By-law 2024-20 Sec. 4.1

CARRIED

7.5 Telethon Lions Donation

Resolution 2024-378

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

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney, in accordance with a request from the Kearney Lions Club, authorizes a donation in the amount of \$630.33 to the 2024 Children's Christmas Telethon

CARRIED

7.6 Waste Management Update

Resolution 2024-379

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

WHEREAS Council has requested updates to Waste Management items at the September 26, 2024 Regular Council Meeting; AND WHEREAS Staff have presented SR2024-71; NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Kearney hereby receives and accepts Staff Report SR2024-71; AND FURTHER directs Staff to commence implementation of reported actions.

CARRIED

7.7 FONOM Economic Development Course Attendance

Council discussed the available course and the implications of a 12-week required attendance and determined they will consider this at a later date.

7.8 Report to Council from Fire Chief Re: New Fire Fighter

Resolution 2024-380

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

WHEREAS the Council of the Corporation of the Town of Kearney has received the Fire Chief's report regarding an application from Rhys Davies to join the Fire and Emergency Services team;

NOW THEREFORE BE IT RESOLVED that Council graciously accepts Rhys Davies' application to join the Fire and Emergency Services team and thanks him for his application; AND FURTHER that the Fire Chief has discretion to determine the length of probation.
CARRIED

Resolution 2024-381

Moved by: Councillor Beaucage; Seconded by: Deputy Mayor Rickward
BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney gives permission to the Fire Chief to put a Fire Truck in the Burk's Falls Santa Claus Parade.
CARRIED

8. Other Business

8.1 Notice of Motion re: Cost Recovery – Councillor Beaucage

Resolution 2024-382

Moved by: Councillor Pateman; Seconded by: Deputy Mayor Rickward
WHEREAS the Town of Kearney has incurred costs regarding the expenses for property standards cleanups and building code infractions; AND WHEREAS THE Council of the Corporation of the Town of Kearney has incurred costly expenses for these situations, a legal opinion should again be sought from our current solicitor to address the Municipal Act, 2001, Section 398; AND WHEREAS Section 398 of the Municipal Act, 2001, gives municipalities the power to add fees and charges to a property's tax roll and collect them like municipal taxes; NOW THEREFORE BE IT RESOLVED Council give direction to staff to prepare a report for the December 19, 2024 Council meeting regarding the expenses incurred by the Town for property standards cleanups and building code infractions for cost recovery measures.
CARRIED

8.2 Notice of Motion re: Transfer Station – Councillor Beaucage

Resolution 2024-383

Moved by: Councillor Beaucage; Seconded by: Councillor Sharer
WHEREAS The Council of the Corporation of the Town of Kearney review the transfer station fees and description of construction waste which were set at the Regular Council meeting of November 14, 2024, at the amount of \$1.50 per cubic foot; AND WHEREAS construction waste is defined in By-law 2023-64 Schedule F; AND WHEREAS construction waste does not list household garbage brought into the site in a larger capacity than bags or five-gallon pail, such as truck or trailer load; AND WHEREAS By-Law 2015-42 Schedule A, item 4.3 states that the Attendant will set fees for over and undersized loads; AND WHEREAS Council has been provided with further Information by the Transfer Station Attendant for Council's consideration; NOW THEREFORE BE IT RESOLVED in order to best the serve the interests of our residents, members of Council discuss the new suggestions provided by staff at our Regular Council meeting on November 28, 2024.
CARRIED

Resolution 2024-384

Moved by: Councillor Beaucage; Seconded by: Deputy Mayor Rickward
BE IT RESOLVED THAT the Council of the Corporation of the Town of Kearney gives Staff direction to bring back a waste management by-law update early in 2025 with the following items identified specifically:

- 1) Hours of operation
- 2) definitions
- 3) construction and brush at King William Street

CARRIED

9. Correspondence for Information

Resolution 2024-385

Moved by Deputy Mayor Rickward; Seconded by: Councillor Beaucage
BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receives the list of Correspondence of November 28, 2024
CARRIED

10. By-laws

10.1 Zoning By-law Amendment – Maguire

Resolution 2024-386

Moved by: Councillor Pateman; Seconded by: Councillor Beaucage
BE IT RESOLVED that the following by-law be read a first, second and third time, be passed by the Council of the Corporation of the Town of Kearney, be signed by the Mayor and Clerk, sealed with the seal of the corporation and engrossed in the by-law book

10.1 By-law 2024-50 Being a By-law to Amend the Zoning By-law 2022-20

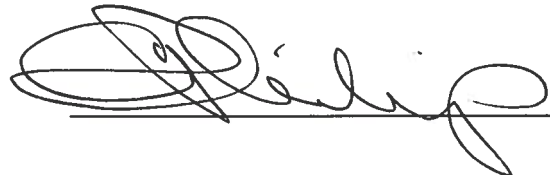
CARRIED

11. **Closed Session**
Nil

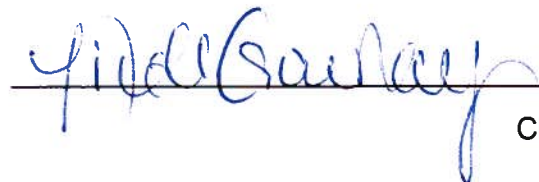
12. **Confirming By-law**
Resolution 2024- 387
Moved by: Councillor Sharer; Seconded by; Councillor Pateman
BE IT RESOLVED that By-law 2024-45 being a by-law to Confirm the Proceedings of the Regular Meeting of November 28, 2024, be read a first, second and a third time, passed, signed by the Mayor and the Clerk, sealed with the seal of the Corporation, and engrossed in the by-law book.
CARRIED

13. **Adjournment**
Resolution 2024-388
Moved by: Deputy Mayor Rickward; Seconded by: Councillor Pateman
BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 8:20 pm
CARRIED

**THE CORPORATION OF THE
TOWN OF KEARNEY**



Mayor



Clerk