

# THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

## Council Minutes

Monday, June 20, 2022

Council Present	Mayor Gerry Glover Deputy Mayor Randy Roppel Councillor Andrea Clarke Councillor Maureen Couture Councillor Dave Cuyler Councillor Dorne Fitzsimmons Councillor Laura Haight Councillor Bill Stewart
Council Absent	Councillor Doug Kennedy
Staff Present	Roxana Baumann, Acting CAO/Director of Corporate Services/Treasurer Jennifer Lawrie, Manager of Legislative Services/Clerk Lorie Fioze, Manager of Strategic Initiatives Jayne Jagelewski, Director of Community Services Karen Kieffer, Manager of Community Programs Dwayne McNab, Manager of Development Services Trevor Sanderson, Manager of Parks & Facilities Nicole Bauman, Legislative Services Administrative Assistant

### 1. **Call to Order**

Mayor Gerry Glover called to order the Council of The Corporation of the Municipality of Kincardine at 5:00 p.m. on Monday, June 20, 2022, in the Council Chambers at the Municipal Administration Centre.

Note: Some members of Council and Staff appeared virtually.

#### 1.1 **Land Acknowledgment Statement**

Mayor Glover opened the meeting with the Land Acknowledgment Statement.

**2. Amendments, Additions or Deletions To/From the Agenda**

None.

**3. Disclosure of Pecuniary Interest and the General Nature Thereof**

Name: Bill Stewart

Item of Business: 9.3 Whitney Crawford Community Centre/Annex (Tiverton Lions Club) Operating Agreement By-law

General Nature of Interest: Member of the Tiverton Lions Club

Councillor Stewart left the Council table and did not comment on the business item while this matter was considered.

**4. Adoption of Minutes from Regular and Special Meetings of Council**

**Resolution # 06/20/22 - 01**

**Moved by:** Randy Roppel

**Seconded by:** Dave Cuyler

THAT the minutes of the Council meetings held on June 6, 2022 and June 13, 2022 (Council and Public) be adopted as printed.

Carried.

**5. Motions and Notice of Motions**

**5.1 Notice of Motion**

None.

**5.2 Scottish Festival By-law Exemption**

**Resolution # 06/20/22 - 02**

**Moved by:** Maureen Couture

**Seconded by:** Andrea Clarke

THAT the Council of the Municipality of Kincardine declare the Kincardine Scottish Festival and Highland Games (KSFHG) as a Municipally Significant Event that will take place, July 1, 2, and 3, 2022 at Victoria Park;

AND FURTHER THAT Council grant an exemption from GG.1.6 Alcohol Risk Management Policy (ARMP) to allow the extension of serving hours of the KSFHG licensed Pub Tent until 2:00 am on Saturday July 2, 2022 and Sunday July 3, 2022 subject to any required municipal approvals;

AND FURTHER THAT Council approve the KSFHG's request for an exemption to the ARMO to allow the sale of tickets until 1:45 a.m. on Saturday July 2, 2022 and Sunday July 3, 2022 subject to any required municipal approvals;

AND FURTHER THAT Council approve the KSFHG's request for an exemption to the ARMP to allow the sale of 4 tickets at a time to each person between 11:00 p.m. and 1:00 a.m. Friday July 1 to Sunday July 3 subject to any required municipal approvals;

AND FURTHER THAT all pets, excluding service animals be prohibited from Victoria Park from 3:00 p.m. on Friday July 1, 2022 to 6:00 p.m. on Sunday July 3, 2022 to facilitate KSFHG events.

Carried.

### **5.3 Bruce Township Community Centre Stove**

**Resolution # 06/20/22 - 03**

**Moved by:** Randy Roppel

**Seconded by:** Bill Stewart

THAT Staff be directed to provide an updated report by July 11th on the stove replacement project at the Bruce Township Community Centre that includes the requirements to have the stove replacement completed.

Carried.

### **5.4 Municipal Flag Protocol Policy**

**Resolution # 06/20/22 - 04**

**Moved by:** Dorne Fitzsimmons

**Seconded by:** Laura Haight

THAT Council approve the Municipal Flag Protocol Policy as presented.

Carried.

## **5.5 Municipal Accommodation Tax**

### **Resolution # 06/20/22 - 05**

**Moved by:** Dave Cuyler

**Seconded by:** Maureen Couture

THAT Council receives report CAO General-2022-02 Municipal Accommodation Tax- Introductory Report for information;

AND FURTHER THAT Council consider a Municipal Accommodation Tax implementation plan in 2023.

Carried.

## **6. Consideration of By-laws**

### **6.1 Appointment By-law Enforcement (James Special Services Inc.) June 2022 By-law**

#### **Resolution # 06/20/22 - 06**

**Moved by:** Andrea Clarke

**Seconded by:** Bill Stewart

THAT the “Appointment By-law Enforcement (James Special Services Inc.) June 2022 By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 109.

Carried.

### **6.2 Restricted Acts Delegation of Powers (2022) By-law**

#### **Resolution # 06/20/22 - 07**

**Moved by:** Dorne Fitzsimmons

**Seconded by:** Laura Haight

THAT the “Restricted Acts Delegation of Powers (2022) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 110.

Carried.

### **6.3 Appoint Authority for Site Plan Approval By-law**

**Resolution # 06/20/22 - 08**

**Moved by:** Randy Roppel

**Seconded by:** Maureen Couture

THAT the “Appoint Authority for Site Plan Approval By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 111.

Carried.

**6.4 Municipality of Kincardine Site Plan Control (2022) By-law**

**Resolution # 06/20/22 - 09**

**Moved by:** Andrea Clarke

**Seconded by:** Bill Stewart

THAT the “Municipality of Kincardine Site Plan Control (2022) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 112.

Carried.

**6.5 Public Nuisance Amendment (1) By-law**

**Resolution # 06/20/22 - 10**

**Moved by:** Dorne Fitzsimmons

**Seconded by:** Laura Haight

THAT the “Public Nuisance Amendment (1) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 113.

Carried.

**6.6 Traffic and Parking Amendment (6) By-law**

**Resolution # 06/20/22 - 11**

**Moved by:** Randy Roppel

**Seconded by:** Dave Cuyler

THAT the "Traffic and Parking Amendment (6) By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 114.

Carried.

**7. Integrity Commissioner Report**

Harold G. Elston, Municipality of Kincardine, Integrity Commissioner, provided the "Report on the Matter of Two Complaints Against Councillor Dorne Fitzsimmons" dated June 15, 2022.

**Resolution # 06/20/22 - 12**

**Moved by:** Maureen Couture

**Seconded by:** Bill Stewart

WHEREAS the Integrity Commissioner Report of June 15, 2022 by Harold G. Elston regarding two applications for Investigation of Councillor Dorne Fitzsimmons for breaching the Council Code of Conduct was presented to and reviewed on June 20, 2022;

NOW THEREFORE BE IT RESOLVED THAT Council approve the suspension of Councillor Fitzsimmons's remuneration for 90 days.

Yes (3): Andrea Clarke, Maureen Couture, and Laura Haight

No (5): Gerry Glover, Randy Roppel, Dave Cuyler, Dorne Fitzsimmons, and Bill Stewart

Defeated.

**Resolution # 06/20/22 - 13**

**Moved by:** Bill Stewart

**Seconded by:** Laura Haight

THAT Council approve that Councillor Fitzsimmons be forbidden from directly meeting or communicating in any way with any members of staff for the remainder of the term and that if he has any questions of staff, he should provide them to the Mayor or the Policy Chair.

Yes (4): Gerry Glover, Maureen Couture, Laura Haight, and Bill Stewart

No (4): Randy Roppel, Andrea Clarke, Dave Cuyler, and Dorne Fitzsimmons

Defeated.

**Resolution # 06/20/22 - 14**

**Moved by:** Gerry Glover

**Seconded by:** Bill Stewart

THAT Council approve the suspension of Councillor Fitzsimmons's remuneration for 30 days.

Yes (8): Gerry Glover, Randy Roppel, Andrea Clarke, Maureen Couture, Dave Cuyler, Dorne Fitzsimmons, Laura Haight, and Bill Stewart

Carried.

**8. Move into Committee of the Whole**

**Resolution # 06/20/22 - 15**

**Moved by:** Andrea Clarke

**Seconded by:** Bill Stewart

THAT Council move into Committee of the Whole and upon completion return to Council.

Carried.

**9. Matters Arising from Committee of the Whole**

**9.1 Consent Agenda**

**Resolution # 06/20/22 - 16**

**Moved by:** Randy Roppel

**Seconded by:** Dave Cuyler

THAT Council approve the recommendations contained in the consent agenda dated Monday, June 20, 2022 and direct staff to proceed with all necessary administrative actions.

Carried.

**9.2 Kincardine Farmers Market (2022) Agreement By-law**

**Resolution # 06/20/22 - 17**

**Moved by:** Maureen Couture

**Seconded by:** Andrea Clarke

THAT the “Kincardine Farmers Market (2022) Agreement By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 115.

Carried.

### **9.3 Whitney Crawford Community Centre/Annex (Tiverton Lions Club) Operating Agreement By-law**

**Resolution # 06/20/22 - 18**

**Moved by:** Dorne Fitzsimmons

**Seconded by:** Laura Haight

THAT the “Whitney Crawford Community Centre/Annex (Tiverton Lions Club) Operating Agreement By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 116.

Carried.

### **9.4 Kincardine Tennis Club (2022) Agreement By-law**

**Resolution # 06/20/22 - 19**

**Moved by:** Randy Roppel

**Seconded by:** Dave Cuyler

THAT the “Kincardine Tennis Club (2022) Agreement By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 -117.

Carried.

### **9.5 Inclusion Diversity Equity and Access Committee Resignations**

**Resolution # 06/20/22 - 20**

**Moved by:** Maureen Couture

**Seconded by:** Andrea Clarke



THAT Council accept with regret, the resignations of Joye Hunt, Tracy Primeau, Randy Hughes, Jordyn O'Connor, Madison Cachagee and Lanny Irving from the Inclusion, Diversity, Equity and Access (IDEA) Committee;

AND FURTHER THAT Council extend its best wishes to departing committee members in all their future endeavors;

AND FURTHER THAT these seats be declared vacant.

Carried.

## **9.6 Inclusion, Diversity Equity and Access Committee Recruitment**

### **Resolution # 06/20/22 - 21**

**Moved by:** Bill Stewart

**Seconded by:** Dorne Fitzsimmons

THAT recruitment for vacant seats on the Inclusion, Diversity, Equity and Access committee take place with the next term of Council.

Carried.

## **10. Members of Council General Announcements**

## **11. Chief Administrative Officer Announcements**

## **12. Confirmatory By-law**

### **Resolution # 06/20/22 - 22**

**Moved by:** Randy Roppel

**Seconded by:** Dave Cuyler

THAT the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of Monday, June 20, 2022 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2022 - 118.

Carried.

## **13. Adjournment**

### **Resolution # 06/20/22 - 23**

**Moved by:** Maureen Couture  
**Seconded by:** Andrea Clarke

THAT this Council adjourn at 7:11 p.m.

Carried.

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Mayor

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Clerk