

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Council Minutes

Monday, May 8, 2023

Council Present

Mayor Kenneth Craig
Deputy Mayor Andrea Clarke
Councillor Beth Blackwell
Councillor Rory Cavanagh
Councillor Mike Hinchberger
Councillor Doug Kennedy
Councillor Jennifer Prenger
Councillor Amanda Steinhoff-Gray
Councillor Bill Stewart

Staff Present

Jillene Bellchamber-Glazier, Chief Administrative Officer
Jennifer Lawrie, Manager of Legislative Services/Clerk
Roxana Baumann, Director of Corporate Services/Treasurer
Lorie Fioze, Manager Strategic Initiatives
Brad Lemaich, Fire Chief
Dwayne McNab, Manager of Development Services
Mark O'Leary, Manager of Environmental Services
Corey Voisin, Manager of Operations
Adam Weishar, Director of Infrastructure and Development
Nicole Bauman, Legislative Services Administrative Assistant

1. **Call to Order**

Mayor Kenneth Craig called to order the Planning/Corporate Services Meeting of the Council of The Corporation of the Municipality of Kincardine at 5:00 p.m. on May 8, 2023 in the Council Chambers at the Municipal Administration Centre.

1.1 **Land Acknowledgment Statement**

Mayor Craig opened the meeting with the Land Acknowledgment Statement.

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

Resolution # 05/08/23 - 01

Moved by: Bill Stewart

Seconded by: Rory Cavanagh

THAT Council approve the following amendment to the agenda:

1. Motion re Tree Cutting activity on the Marine Allowance in front of Lot 43 or 169 Birchwood added as 6.2 .

Defeated.

Councillor Prenger joined the meeting.

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

None disclosed.

4. **Public Meetings**

Resolution # 05/08/23 - 02

Moved by: Andrea Clarke

Seconded by: Rory Cavanagh

THAT Council move into Public Meeting to hear two (2) proposed zoning amendments, and upon completion return to Council.

Carried.

5. **Matters Arising from Public Meeting**

5.1 **Amendment to Zoning By-law 2003 - 541 Concession 2- [Gamble] Z-220-134**

Resolution # 05/08/23 - 03

Moved by: Amanda Steinhoff-Gray

Seconded by: Doug Kennedy

THAT Planning Report Z-2022-134 be brought back to a future Public Meeting and be referred back to Bruce County Planning.

Carried.

5.2 Amendment to Zoning By-law 2003-25, 950 Concession 11 [Anbros Farms Inc.] By-law

Resolution # 05/08/23 - 04

Moved by: Beth Blackwell

Seconded by: Bill Stewart

THAT the “Amendment to Zoning By-law 2003-25, 950 Concession 11 [Anbros Farms Inc.] By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 070.

Carried.

6. Consideration of Motions

6.1 Amend Election Sign By-law Motion

Resolution # 05/08/23 - 05

Moved by: Rory Cavanagh

Seconded by: Beth Blackwell

That Staff be directed to bring forward for Council’s consideration, amendments to the Election Sign By-law to prohibit the use and placement of all election signs on all public property.

Carried.

7. Consideration of By-laws

7.1 MacDonald Municipal Drain By-law

Resolution # 05/08/23 - 06

Moved by: Jennifer Prenger

Seconded by: Mike Hinchberger

THAT the “MacDonald Municipal Drain By-law” be read a third time and finally passed and numbered as By-law No. 2023 - 035.

Carried.

7.2 Maintenance and Repair of Municipal Drain By-laws

a. Bruce Municipal Drain No. 19 Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 07

Moved by: Rory Cavanagh

Seconded by: Amanda Steinhoff-Gray

THAT the “Bruce Municipal Drain No. 19 Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 071.

- b. Bruce Municipal Drain No. 19 Branch A Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 08

Moved by: Doug Kennedy

Seconded by: Beth Blackwell

THAT the “Bruce Municipal Drain No. 19 Branch A Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 072.

Carried.

- c. Holtby Municipal Drain Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 09

Moved by: Bill Stewart

Seconded by: Jennifer Prenger

THAT the “Holtby Municipal Drain Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 073.

Carried.

- d. Russell Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 10

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

THAT the “Russell Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 074.

Carried.

- e. Slade Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 11

Moved by: Amanda Steinhoff-Gray

Seconded by: Doug Kennedy

THAT the “Slade Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 075.

Carried.

- f. Swick Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 12

Moved by: Beth Blackwell

Seconded by: Bill Stewart

THAT the “Swick Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 076.

Carried.

- g. Swick Branch A Municipal Drain Maintenance By-law

Resolution # 05/08/23 - 13

Moved by: Jennifer Prenger

Seconded by: Mike Hinchberger

THAT the “Swick Branch A Municipal Drain Maintenance By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 077.

Carried.

8. Move into Committee of the Whole

Resolution # 05/08/23 - 14

Moved by: Andrea Clarke

Seconded by: Rory Cavanagh

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 Tree By-law

9.2 Award Tender 9148 – 2023 Hot Mix Paving Contract By-law

Resolution # 05/08/23 - 15

Moved by: Andrea Clarke

Seconded by: Rory Cavanagh

THAT the “Award Tender 9148 – 2023 Hot Mix Paving Contract By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 078.

Carried.

9.3 129 Upper Lorne Beach Road Encroachment Application - Dunsbier

Resolution # 05/08/23 - 16

Moved by: Beth Blackwell

Seconded by: Doug Kennedy

That Council direct staff to proceed with preparing the Encroachment Agreement for 129 Upper Lorne Beach Road and that the Agreement be considered at a future meeting of Council.

Carried.

9.4 Surplus Land Lambton Street

Resolution # 05/08/23 - 17

Moved by: Beth Blackwell

Seconded by: Bill Stewart

That Council support the conveyance of land adjacent to 199 Lambton Street in order to create an additional residential lot; and

Further that Council instruct staff to declare the land surplus and to complete the transaction as a condition of severance of 199 Lambton Street; and

Further that Council exempt this potential purchase from the Disposition of Land By-law No. 2008-141.

Carried.

9.5 Sign Bylaw Exemption - 2 Millennium Way-Kincardine

Resolution # 05/08/23 - 18

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

That Council authorize an exemption to Section 4.2(ii) of By-law No. 2003-136 for the erection of a 2.1m tall ground sign, where 1.5m is permitted, for 2 Millennium Way, Municipality of Kincardine.

Carried.

9.6 Kincardine Water, Wastewater & Sewage Treatment – Roof Project Proposal

Resolution # 05/08/23 - 19

Moved by: Rory Cavanagh

Seconded by: Amanda Steinhoff-Gray

THAT the “Roof Project Proposal Contract (2023) By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 079.

Carried.

10. Members of Council General Announcements

11. Chief Administrative Officer Announcements

12. Closed Session if Required

12.1 Appoint CAO as Clerk

Resolution # 05/08/23 - 20

Moved by: Doug Kennedy

Seconded by: Beth Blackwell

THAT Chief Administrative Officer Jillene Bellchamber-Glazier be appointed Acting Clerk, when it is necessary for the Clerk to leave the meeting, for the purpose of taking minutes for the May 8, 2023 closed and open meetings.

Carried.

12.2 Move into Closed Meeting

Resolution # 05/08/23 - 21

Moved by: Bill Stewart

Seconded by: Jennifer Prenger

THAT Council move into closed meeting for the purpose of considering personal matters about an identifiable individual, including municipal or local board employees (CAO Performance Appraisal), pursuant to Section 239 (2) of the Municipal Act, 2001, as amended;

AND FURTHER THAT Council return to regular open meeting upon completion.

Carried.

13. Matters Arising from Closed Session

Mayor Craig reported that a closed meeting for the purpose of considering personal matters about an identifiable individual, including municipal or local board employees (CAO Performance Appraisal), pursuant to Section 239 (2) of the Municipal Act, 2001, as amended. The CAO Performance Appraisal was the only item discussed in closed session.

14. Confirmatory By-law

Resolution # 05/08/23 - 22

Moved by: Mike Hinchberger

Seconded by: Andrea Clarke

THAT the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of May 8, 2023 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 080.

Carried.

15. **Adjournment**

Resolution # 05/08/23 - 23

Moved by: Rory Cavanagh

Seconded by: Amanda Steinhoff-Gray

THAT this Council adjourn at 7:46 p.m.

Carried.

Mayor

Clerk