

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Council Minutes

Wednesday, September 27, 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
Tracey Guy, Deputy Clerk
Roxana Baumann, Director of Corporate Services
Lorie Fioze, Manager Strategic Initiatives
Jayne Jagelewski, Director of Community Services
Brad Lemaich, Fire Chief
Nicole Bauman, Legislative Services Administrative Assistant
Shane Watson, Fire Prevention Officer

1. **Call to Order/Roll Call**

Mayor Craig called to order the Regular Meeting of the Council of The Corporation of the Municipality of Kincardine at 5:00 p.m. on September 27, 2023 in the Council Chambers at the Municipal Administration Centre.

1.1 **Land Acknowledgment Statement**

Councillor Kennedy 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: Kenneth Craig

Item of Business: Item 10 and 10.1 Fire Department Negotiations, Human Resources-2023-27

General Nature of Interest: Child a Member of Kincardine Fire Services

Name: Bill Stewart

Item of Business: Item 8.3b. Community Investment Grant Application

General Nature of Interest: Member of the Tiverton and District Lions Club

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

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

Resolution # 09/27/23 - 01

Moved by: Doug Kennedy

Seconded by: Bill Stewart

That the minutes of the Council meeting held on September 13, 2023 be adopted as printed.

Carried.

5. Unfinished Business

None.

6. Matters for Public Participation

6.1 Public Meeting

- a. Applicant: Brian Gamble - 541 Concession 2

Bruce County Planner Jack Van Dorp, explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

Presentations from the Applicant:

Brian Gamble was present and did not comment.

Presentations from the Public:

Letter from Mr. Pitblado, Solicitor for Kevin and Gerta McKay was read.

Questions and Clarifications from Council:

Council clarified that the County recommendation is for one additional unit in the main dwelling, and no additional units be permitted in the accessory buildings.

Resolution # 09/27/23 - 02

Moved by: Rory Cavanagh

Seconded by: Mike Hinchberger

That Zoning By-law Amendment Z-2022-134 for lands described as 541 Concession 2, being CON 2 PT LOT 22 RP 3R535 PT; PART 1 Municipality of Kincardine (Bruce Township) to permit an Additional Dwelling Unit (ADU) within the existing main dwelling be approved; and

That the detached additional dwelling unit (ADU) not be approved for the following reasons:

- 1) Does not meet the Minimum Distance Separation (MDS I) requirement,
- 2) Could potentially impact livestock operations on the adjacent farm property, and
- 3) Does not conform to the Bruce County Official Plan.

And that the by-law be adopted.

Carried.

6.2 Delegations and Presentations

None.

7. Matters for Discussion and Direction

7.1 Staff Reports

- a. 2024 Budget Report, Financial Services-2023-23

Resolution # 09/27/23 - 03

Moved by: Bill Stewart

Seconded by: Beth Blackwell

That Council receive the 2024 Budget Plan Report for information;
and

Further that Council approve the 2024 wage increase using the 12-month July CPI of 3.3% as per Compensation & Benefits Policy HR.03 and the 2024 budget be drafted to incorporate this economic increase accordingly.

Carried.

- b. Award Payroll RFP, Financial Services-2023-25

Resolution # 09/27/23 - 04

Moved by: Doug Kennedy

Seconded by: Beth Blackwell

That Council accept the recommendation to award a contract to UKG with a total value of \$211,850.00 for a time and attendance and payroll system.

Carried.

- c. Council Remuneration & Expense Policy, Financial Services-2023-24

Resolution # 09/27/23 - 05

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That Council adopts the draft Council Remuneration and Expense Policy as presented; and

Further that once the new policy is adopted, Council repeals the former policy GG.1.9 Remuneration, Council & Others

Carried.

- d. Review of Advisory Committees of Council and Recommended Ad-Hoc Committees, Legislative Services-2023-22

Resolution # 09/27/23 - 06

Moved by: Rory Cavanagh
Seconded by: Mike Hinchberger

That Staff be directed to bring back a report and terms of reference for the Strategic Plan Ad-Hoc Committee.

Carried.

- e. Saugeen Valley Conservation Authority Category 3 Apportioning Agreement, CAO General-2023-21

Resolution # 09/27/23 - 07

Moved by: Jennifer Prenger
Seconded by: Bill Stewart

That Council approve the Saugeen Valley Conservation Authority's Draft Cost Apportioning Agreement with the Municipality of Kincardine for Category 3 programs and services as per Report CAO General-2023-21.

Carried.

- f. Municipality of Kincardine Emergency Response Plan, Emergency Services-2023-03

Resolution # 09/27/23 - 08

Moved by: Rory Cavanagh
Seconded by: Andrea Clarke

That the Council of the Municipality of Kincardine pass a by-law to adopt the 2023 Draft Municipality of Kincardine Emergency Response Plan as presented.

Carried.

7.2 Addendum Items

None.

8. Matters for Decision

8.1 Notice of Motion - Prior to the Meeting

8.2 Notice of Motion - At the Meeting

8.3 Motions

- a. Municipal Act Sec. 357 and Sec. 358 Applications - Cancellation or Reduction in Property Taxes

Resolution # 09/27/23 - 09

Moved by: Bill Stewart

Seconded by: Beth Blackwell

Whereas S.357 and S.358 of the Municipal Act provides a process for property owners to apply for a cancellation, reduction and refund of taxes under specific circumstances including but not limited to a change in the use of a property, demolition or fire, the property being substantially unusable for a period of at least 3 months or a gross and manifest error in the preparation of the assessment roll; and

Whereas in the opinion of staff, the 8 write-offs (Appeal No. 2023-01 to 2023-05, and 2023-07 to 2023-09) meet the criteria set out in the Municipal Act; and

Whereas the total of the applications amount to \$10,034.17, with the municipal share being \$5,691.12; now therefore be it

Resolved that Council approve the applications as provided.

Carried.

- b. Community Investment Grant Application

Councillor Stewart left the Council Chambers.

Resolution # 09/27/23 - 10

Moved by: Doug Kennedy

Seconded by: Amanda Steinhoff-Gray

Whereas Policy LS.01 Community Investment Grant Policy sets out that requests for support for new projects only may be considered outside of the standard intake processes with applications to be submitted for review by the Community Investment Grant Evaluation Team who will make a recommendation to Council; and

Whereas the Tiverton and District Lions Club has submitted a 2023 Community Investment Grant applications; and

Whereas funds remain in the Community Investment Grant budget;
and

Whereas the Evaluation Team has review the application and
recommended a grant of \$1,000 to be approved; now therefore be
it

Resolved That Council approve a 2023 Community Investment
Grant of \$1,000 to the Tiverton and District Lions Club.

Carried.

8.4 Consideration of By-laws

Councillor Stewart returned to the Council Chambers.

- a. By-law Enforcement (James Special Services Inc.) Amendment (1)
By-law

Resolution # 09/27/23 - 11

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That the “By-law Enforcement (James Special Services Inc.)
Amendment (1) By-law” be deemed to be read a first, second and
third time, finally passed and numbered as By-law No. 2023 - 157.

Carried.

- b. Merlin Simex Professional Counseling Associates Agreement
(2023) By-law

Resolution # 09/27/23 - 12

Moved by: Bill Stewart

Seconded by: Mike Hinchberger

That the “Merlin Simex Professional Counseling Associates
Agreement (2023) By-law” be deemed to be read a first, second
and third time, finally passed and numbered as By-law No. 2023 -
158.

Carried.

- c. Motion to Pass By-laws

Resolution # 09/27/23 - 13

Moved by: Jennifer Prenger

Seconded by: Andrea Clarke

That the following By-laws are hereby read a first, second and third time and finally passed this 27th day of September, 2023:

1. Award Tender #TF2023-01 By-law 2023 - 160.
2. Council Remuneration and Expense Policy By-law 2023 - 161.
3. Saugeen Valley Conservation Authority Agreement (2023) By-law 2023 - 162; and
4. Emergency Response Plan (2023) By-law 2023 - 163.

Carried.

Resolution # 09/27/23 - 14

Moved by: Jennifer Prenger

Seconded by: Andrea Clarke

That the "Amendment to Zoning By-law 2003 25, [541 Concession 2, Bruce Township (Gamble)] By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 159.

Carried.

9. Matters for Information

9.1 Consent Agenda

Items listed under the Consent Agenda are considered routine and are enacted in one motion as a Matter Arising. The exception to this rule is that a Council member or the Chief Administrative Officer may request one or more items to be removed from the consent agenda for separate discussion and action.

- a. Administrative Motions

- a. Stephanie Tschirhart resignation from BIA

- b. Statistical and Information Reports
 - a. Trail Blazers Volunteer Program, Recreation and Community Programs-2023-13
- c. Minutes of Committees and Boards
 - a. Accessibility Advisory Committee - June 22, 2023
 - b. Heritage Kincardine - May 30, 2023
 - c. BASWR, June 15, 2023
 - d. South Bruce Safe Communities, September 12, 2023
- d. Communications
 - a. Association of Municipalities of Ontario
 - a. Watchfile, September 7, 2023
 - b. Watchfile, September 14, 2023
 - b. Ministry of Municipal Affairs and Housing - Responding to the Housing Affordability Task Force's Recommendation
 - c. Tessa Gerlin - Tidman Subdivision

Resolution # 09/27/23 - 15

Moved by: Bill Stewart

Seconded by: Andrea Clarke

That Council approve an amendment to the agenda to allow a delegation be added to speak to the Tessa Gerlin - Tidman Subdivision Correspondence.

Defeated.

- d. Gordon and Lucia Vala-Webb - Municipal Accommodation Tax Implementation Plan 2023
- e. Ontario Provincial Police - Distribution of Police Record Check Revenue to Municipalities
- f. National Chronic Pain Society - Opioid Crisis in Our Communities and Municipalities

- g. Community Living Kincardine and District September 2023 Newsletter
- h. Motions other Municipalities
- a. Municipality of Arran-Elderslie - OMAFRA Tile Drainage Motion
- b. Municipality of Shuniah - Chronic Pain Treatments
- c. Municipality of Wawa - Northern Institute of Chronic Pain
- d. Town of Bracebridge - MFIPPA Review Request
- e. Town of Grimsby - Guaranteed Livable Income
- f. Township of Puslinch - Changes and Updates to MFIPPA
- g. Township of Puslinch - Municipal Code of Conduct

9.1 Consent Agenda

- e. Acceptance of Consent Agenda

Resolution # 09/27/23 - 16

Moved by: Bill Stewart

Seconded by: Andrea Clarke

That Council approve the recommendations contained in the consent agenda dated September 27, 2023 and direct staff to proceed with all necessary administrative actions.

Carried.

9.2 Members of Council General Announcements

9.3 Chief Administrative Officer Announcements

10. Closed Session

Mayor Craig left the Council Chambers in Closed Session for the item on Fire Department Negotiations.

Resolution # 09/27/23 - 17

Moved by: Rory Cavanagh

Seconded by: Bill Stewart

That Council move into closed meeting pursuant to Section 239 (2) of the *Municipal Act, 2001*, as amended for:

1. Approve Closed Session Minutes dated August 14, 2023; and
2. The purpose of considering labour relations or employee negotiations (Fire Department Negotiations); and
3. The purpose of considering a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on or to be carried on by or on behalf of the Municipality or Local Board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Bruce Telecom); and

Further that Council return to regular open meeting upon completion.

Carried.

10.1 Matters Arising from Closed Session

- a. Fire Department Negotiations

Mayor Craig left the Council Chambers.

Deputy Mayor Clark reported that a closed session was held for the purpose of considering labour relations or employee negotiations (Fire Department Negotiations), pursuant to Section 239 (2) of the *Municipal Act, 2001*, as amended.

Resolution # 09/27/23 - 18

Moved by: Mike Hinchberger

Seconded by: Amanda Steinhoff-Gray

That Council appoint Bill Stewart and Andrea Clark from Council, to participate in the negotiation process with the Fire Department.

Carried.

- b. Bruce Telecom Update

Mayor Craig returned to the Council Chambers.

Mayor Craig reported that a closed session was held for the purpose of considering a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be

carried on or to be carried on by or on behalf of the Municipality or Local Board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding Bruce Telecom. Direction was provided to Staff in the closed session regarding the matter.

11. Confirmatory By-law

Resolution # 09/27/23 - 19

Moved by: Rory Cavanagh

Seconded by: Andrea Clarke

That the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of September 27, 2023 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2023 - 164.

Carried.

12. Adjournment

Resolution # 09/27/23 - 20

Moved by: Bill Stewart

Seconded by: Beth Blackwell

That this Council adjourn at 7:42 p.m.

Carried.

Mayor

Clerk