

# THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

## Council Minutes

Wednesday, May 8, 2024

Council Present	Mayor Kenneth Craig Deputy Mayor Andrea Clarke Councillor Rory Cavanagh Councillor Mike Hinchberger Councillor Doug Kennedy Councillor Jennifer Prenger Councillor Bill Stewart
Council Absent	Councillor Beth Blackwell Councillor Amanda Steinhoff-Gray
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 Adam Weishar, Director of Infrastructure and Development Dwayne McNab, Manager of Development Services Mark O'Leary, Manager of Environmental Services Nicole Bauman, Legislative Services Administrative Assistant Emily Lutz, Records Management Clerk

### 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 May 8, 2024 in the Council Chambers at the Municipal Administration Centre.

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

Councillor Cavanagh 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**

None Disclosed.

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

**Resolution # 05/08/24 - 01**

**Moved by:** Doug Kennedy

**Seconded by:** Mike Hinchberger

That the minutes of the Council meetings held on April 24, 2024 be adopted as printed.

Carried.

**5. Matters for Public Participation**

**5.1 Delegations and Presentations**

- a. Pam Hillier - 211 Delegation

Pam Hillier made a presentation on the 211 service, connecting people to services every day and during emergency response & recovery. She also highlighted the other services provided.

**6. Closed Session**

**Resolution # 05/08/24 - 02**

**Moved by:** Bill Stewart

**Seconded by:** Rory Cavanagh

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

- 1) The Closed Session minutes dated April 24, 2024;
- 2) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Municipality (MTO Russell Street Agreements);
- 3) Advice that is subject to solicitor client privilege, including communications necessary for that purpose (Kincardine Ave. Servicing Agreement); and

Further, that Council return to Regular open meeting upon completion.

Carried.

## 6.1 Matters Arising from Closed Session

Mayor Craig reported that pursuant to Section 239 (2) of the Municipal Act, Council discussed the following items in Closed Session:

- 1) The Closed Session minutes dated April 24, 2024 were approved;
- 2) Direction was provided to Staff regarding the MTO Russell Street Agreements; and
- 3) Direction was provided to Staff regarding the Kincardine Ave. Servicing Agreements.

## 7. Matters for Discussion and Direction

### 7.1 Staff Reports

- a. Kincardine Ave Servicing Contract, Development Services-2024-12

#### **Resolution # 05/08/24 - 03**

**Moved by:** Bill Stewart

**Seconded by:** Mike Hinchberger

That Council direct staff to proceed with the signing of the contract for the Kincardine Avenue Servicing Extension that is awarded to Omega Contractors Inc. for the tendered amount of \$1,723,500.72.

Carried.

- b. Ressor Mutual Agreement Drain, Environmental Services-2024-14

#### **Resolution # 05/08/24 - 04**

**Moved by:** Bill Stewart

**Seconded by:** Rory Cavanagh

That Council approves the Mutual Agreement Drain (MAD) as provided.

Carried.

- c. Community Improvement Plan – 2024 Priority Areas, Economic Development - 2024-02

#### **Resolution # 05/08/24 - 05**

**Moved by:** Rory Cavanagh

**Seconded by:** Doug Kennedy

That the 2024 priority areas for the Community Improvement Plan (CIP) funding focus on business supports for downtown Kincardine and downtown Tiverton, as well as a newly created program to support investment attraction in the Municipality; and further,

That Council direct staff to work with Bruce County Economic Development staff to assist with the implementation and administration of the CIP programs; and,

That Council adopt the Tiverton Façade Improvement Guidelines, as part of the Spruce the Bruce community onboarding process; and further;

That staff prepares a report for Council at the end of each calendar year to evaluate the impacts of the CIP program and recommend future priority areas and potential grant categories.

Carried.

## **7.2 Addendum Items**

None.

## **8. Matters for Decision**

### **8.1 Notice of Motion - Prior to the Meeting**

- a. Amendment to Procedural By-law

#### **Resolution # 05/08/24 - 06**

**Moved by:** Andrea Clarke

**Seconded by:** Mike Hinchberger

Whereas Section 32.3 d) of the Municipality of Kincardine Procedure – By-law No. 2023-138 states that: A Council Member will be appointed to the Statutory Committee as Chair and will be a non-voting Member; and

That an amendment to Section 32.3 d) of the Procedure By-law be repealed and replaced with: A Council Member will be appointed to the Statutory Committee as a voting Member; now therefore be it

Resolved that Section 32.3 of the Procedure By-law be amended to include: The Chair will be elected annually by the Statutory

Committee and the Chair will be a voting member of the Committee.

Carried.

## **8.2 Notice of Motion - At the Meeting**

None.

## **8.3 Consideration of By-laws**

- a. Road Dedication (Upper Lorne Beach Road) Amendment (2) By-law

**Resolution # 05/08/24 - 07**

**Moved by:** Mike Hinchberger

**Seconded by:** Bill Stewart

That the "Road Dedication (Upper Lorne Beach Road) Amendment (2) By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 070.

Carried.

- b. Tree Canopy and Natural Vegetation Policy By-law

Councillor Hinchberger highlighted that both the Tree By-laws do not take effect until September 1, 2024.

**Resolution # 05/08/24 - 08**

**Moved by:** Andrea Clarke

**Seconded by:** Doug Kennedy

That the "Tree Canopy and Natural Vegetation Policy By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 071.

Carried.

- c. Regulate Native Trees on Private Property By-law

**Resolution # 05/08/24 - 09**

**Moved by:** Mike Hinchberger  
**Seconded by:** Rory Cavanagh

That the “Native Trees on Private Property By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 072.

Carried.

- d. Appointment By-law Enforcement (Municipal Support Services Inc.)  
2024 By-law

**Resolution # 05/08/24 - 10**

**Moved by:** Mike Hinchberger  
**Seconded by:** Rory Cavanagh

That the “Appointment By-law Enforcement (Municipal Support Services Inc.) 2024 By-law” be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 073.

Carried.

- e. Motion to Pass By-laws

**Resolution # 05/08/24 - 11**

**Moved by:** Doug Kennedy  
**Seconded by:** Andrea Clarke

That the following By-laws are hereby read a first, second and third time, and finally passed this 8th day of May, 2024:

1. Ressor Drain Agreement (2024) By-law 2024 - 074
2. Tiverton Design Guideline By-law 2024 - 075

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
- b. Statistical and Information Reports
  - a. Environmental Services Compliance Report April 2024, Environmental Services-2024-16
  - b. CAO Department 2024 Q1 Update, CAO General-2024-14
- c. Minutes of Committees and Boards
  - a. Accessibility Advisory Committee Minutes - March 28, 2024
  - b. SMART Board Minutes - February 16 2024
  - c. SMART Board Minutes - March 22, 2024
- d. Communications
  - a. Association of Municipalities of Ontario
  - a. Watchfile April 4, 2024
  - b. Watchfile April 11, 2024
  - c. Watchfile April 18, 2024
  - d. Watchfile April 25, 2024
  - b. Clean Energy Frontier Program - April 2024 newsletter
  - c. Multi-Municipal Energy Working Group membership letter
  - d. Saugeen Mobility Testimonial
  - e. Allan Levine - The Canadian Tire Parking lot produce market
  - f. Clementine McFarlane - Town needs more trees
  - g. Olivia Andrusiak - Better transportation needed
  - h. John and Jane Downs - Parks and Recreation Strategic Plan Comments
  - i. Motions other Municipalities
  - a. City of St Catherines - Provincial Regulations Needed to Restrict Keeping of Non-native (exotic) Wild Animals

- b. City of Sault Ste Marie - Intimate Partner Violence - Coercive Control
- c. Hastings County - Sustainable Infrastructure Funding for Small Rural Municipalities
- d. Loyalist Township - Housing Funding
- e. Loyalist Township - Public Health Laboratories
- f. Municipality of Trent Hills - Funding Social Services in Ontario
- g. Town of Smith Falls - Basic Income Guarantee

### **9.1 Consent Agenda**

- e. Acceptance of Consent Agenda

#### **Resolution # 05/08/24 - 12**

**Moved by:** Andrea Clarke

**Seconded by:** Jennifer Prenger

That Council approve the recommendations contained in the consent agenda dated May 8, 2024 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. Confirmatory By-law**

#### **Resolution # 05/08/24 - 13**

**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, 2024 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 076.

Carried.

## **11. Adjournment**



**Resolution # 05/08/24 - 14**

**Moved by:** Jennifer Prenger

**Seconded by:** Bill Stewart

That this Council Meeting adjourn at 6:30 p.m.

Carried.

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Mayor

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Clerk