

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

Council Minutes

Wednesday, June 12, 2024

Council Present	Mayor Kenneth Craig Deputy Mayor Andrea Clarke Councillor Beth Blackwell Councillor Rory Cavanagh Councillor Mike Hinchberger Councillor Jennifer Prenger Councillor Amanda Steinhoff-Gray Councillor Bill Stewart
Council Absent	Councillor Doug Kennedy
Staff Present	Jillene Bellchamber-Glazier, Chief Administrative Officer Tracey Guy, Deputy Clerk Roxana Baumann, Director of Corporate Services Lorie Fioze, Manager Strategic Initiatives Michel DiGiovanni, Manager, Parks and Facilities Anne-Marie Thomson, Manager of Recreation Adam Weishar, Director of Infrastructure and Development Mark O'Leary, Manager of Environmental Services Corey Voisin, Manager of Operations Nicole Bauman, Legislative Services Administrative Assistant

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 June 12, 2024 in the Council Chambers at the Municipal Administration Centre.

1.1 **Land Acknowledgment Statement**

Councillor Blackwell 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

Interest

Name: Councillor Cavanagh

Item of Business: 8.1.a.a. - Request for Noise By-law Exemption

General Nature of Interest: Councillor Cavanagh's wife, Dr. Angela Cavanagh, is one of the doctors participating in the event.

Councillor did not comment on the business item while this matter was considered.

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

Resolution # 06/12/24 - 01

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That the minutes of the Council meetings held on May 22, 2024 and June 05, 2024 be adopted as printed.

Carried.

5. Matters for Public Participation

5.1 Presentations

- a. U13 OMHA Champions

Plaques were presented to the Kincardine U13 Legion Branch 183 Kinucks, as they were crowned U13 Tier 1 Western Ontario Athletic Association Champions and the U13 All Ontario OMHA Champions.

5.2 Public Meeting

- a. Applicant: Paul and Tarynne Oudshoorn - 5031 Highway 9

Planning Report - The Bruce County Planner Jake Bousfield-Bastedo 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 - The applicants Paul and Tarynne Oudshoorn were present to answer any questions.

Presentations from the Public - None.

Questions and Clarifications from Council - None.

Resolution # 06/12/24 - 02

Moved by: Andrea Clarke
Seconded by: Jennifer Prenger

That Council approve the Zoning By-law Amendment application Z-2024-011 for Paul and Tarynne Oudshoorn for 5031 Highway 9, Municipality of Kincardine.

Carried.

5.3 Delegations

- a. Meag Durkin and Christina Roppel-Wahi

Meg Durkin and Christina Roppel-Wahi expressed support for Council's March 2024 decision not to continue a contract to provide a School Resource Officer in schools.

6. Matters for Discussion and Direction

6.1 Staff Reports

- a. 2023 Financial Statements, Financial Services-2024-12

Resolution # 06/12/24 - 03

Moved by: Rory Cavanagh
Seconded by: Beth Blackwell

That Council approve the 2023 Consolidated Financial Statements as presented.

Carried.

- b. Development Charges Interest Rate Policy Update, Financial Services-2024-11

Resolution # 06/12/24 - 04

Moved by: Beth Blackwell
Seconded by: Rory Cavanagh

That Council approve the charging of interest as per section 26.3 for development that is eligible under sections 26.1 and 26.2 of the *Development Charges Act*, 1997, effective as of June 1, 2022 and at a rate of average prime plus 1%; and

That Council repeals the former Development Charges Interest Policy GG.2.24; and

Further that Council approve the attached new Development Charges Interest Policy to administer the charging of interest.

Carried.

- c. Traffic and Parking By-law Amendment Kincardine Ave (South Line), Operations-2024-16

Resolution # 06/12/24 - 05

Moved by: Rory Cavanagh

Seconded by: Andrea Clarke

That Council approve an amendment to the Traffic and Parking By-law No. 2019 - 165 to reduce the speed limit on Kincardine Ave (South Line) to 60km/h from Highway 21 easterly for 800 meters.

Carried.

- d. Bruce Avenue Reconstruction Tender Award, Operations-2024-15

Resolution # 06/12/24 - 06

Moved by: Amanda Steinhoff-Gray

Seconded by: Beth Blackwell

That Council award the contract for project No. 9164 Bruce Ave. Reconstruction to Omega Contractors Inc. in the amount of \$2,135,363.75 inclusive of the non-refundable portion of HST.

Carried.

- e. Landfill Compactor Tender, Operations-2024-14

Councillor Steinhoff-Gray was not present for the discussion and passing of the resolution.

Resolution # 06/12/24 - 07

Moved by: Beth Blackwell

Seconded by: Bill Stewart

That Council award the contract to Marcel Equipment Limited in the amount of \$555,609.60 including the non-refundable HST for the purchase of one (1) reconditioned 2020 CAT 816K Landfill Compactor.

Carried.

- f. DWQMS Operational Plan Revision 11 Endorsement,
Environmental Services-2024-18

Councillor Steinhoff-Gray was not present for the discussion and passing of the resolution.

Resolution # 06/12/24 - 08

Moved by: Mike Hinchberger

Seconded by: Jennifer Prenger

That Council endorse both the Municipality of Kincardine Drinking Water Quality Management System Operational Plan Revision 11 May 2024 and the Quality Management System Policy Revision 3 May 4, 2022.

Carried.

- g. Road Dedication By-law – Institute Road Extension, Development Services-2024-16

Resolution # 06/12/24 - 09

Moved by: Amanda Steinhoff-Gray

Seconded by: Andrea Clarke

That the Council of the Municipality of Kincardine pass a road dedication by-law for CEDAR LANE PL 485; KINCARDINE (PIN 33284-0143); and RED PINE ST PL 485 KINCARDINE (PIN 33284-0141);

And further that the lands described as CEDAR LANE PL 485; KINCARDINE be known as “Institute Road Extension”;

Whereas the lands described as RED PINE ST PL 485; KINCARDINE, is already known as “Institute Road”;

And further that the Mayor and Clerk be authorized to execute any documents on behalf of the Municipality.

Carried.

- h. Road Assumption and Road Naming By-law – Kaydan Drive Tiverton, Development Services-2024-17

Resolution # 06/12/24 - 10

Moved by: Amanda Steinhoff-Gray

Seconded by: Mike Hinchberger

That the Council of the Municipality of Kincardine pass a road dedication by-law for Parts 1 and 2 on 3R10512, which is part of PIN 33287-0283; and

That the lands described as Parts 1 and 2 on 3R10512 be known as “Kaydan Drive”; and

Further that the Mayor and Clerk be authorized to execute any documents and agreements on behalf of the Municipality.

Carried.

- i. Connaught Park Ball Diamond Lighting Upgrades Contract Award – CS-2024-10, Parks Facilities-2024-15

Resolution # 06/12/24 - 11

Moved by: Beth Blackwell

Seconded by: Mike Hinchberger

That Council award the contract for the supply and installation of the Connaught Park Ball Diamond lighting retrofit upgrades to 928277 Ontario Ltd. (Weber’s Electric) in the amount of \$216,155.00; and

Further, that the cost overage of \$16,155.00 be funded from the Community Benefits Reserve Fund.

Carried.

- j. Energy Conservation and Demand Management Plan, CAO General-2024-18

The Energy Conservation and Demand Management Plan will be considered for adoption at the June 26th, 2024 Council Meeting.

Resolution # 06/12/24 - 12

Moved by: Beth Blackwell

Seconded by: Mike Hinchberger

That Council review the Draft Energy Conservation and Demand Management Plan for consideration of adoption at its June 26, 2024.

Carried.

6.2 Addendum Items

None.

7. Matters for Decision

7.1 Notice of Motion - Prior to the Meeting

- a. Motion to Reconsider School Resource Officer Motion 03/27/24 - 16
The Mover Councillor Steinhoff-Gray and the Seconder Councillor Cavanagh, removed the motion from the Agenda.
- b. Review of Sign By-law and Sidewalk By-law

Resolution # 06/12/24 - 13

Moved by: Andrea Clarke

Seconded by: Beth Blackwell

Whereas the current Sign By-law and Sidewalk By-law requires provisions to adequately address accessibility; and

That Council direct Staff to review the current Signage By-law and Sidewalk By-law to properly take account of the intended purpose of the AODA, the Ontario Human Rights Code and the Charter of Rights and Freedoms; now therefore be it resolved

That Staff bring a report addressing possible amendments to rectify any deficiencies in the current Signage By-law and Sidewalk By-law, with specific reference to Section 4.8 of the Signage By-law and Section 2.0 of the Sidewalk By-law by Q2, 2025.

Carried.

7.2 Notice of Motion - At the Meeting

- a. Councillor Hinchberger provided Notice of Motion for the following Motions:
 - a. Transfer of 2023 Operating Surplus to Lifecycle RF82
 - b. External Communications Policy
- b. Councillor Cavanagh provided a Notice of Motion regarding Police Board Insurance

7.3 Motions

7.4 Consideration of By-laws

- a. Victim Services Bruce Grey Agreement

Resolution # 06/12/24 - 14

Moved by: Mike Hinchberger

Seconded by: Amanda Steinhoff-Gray

That the "Victim Services Bruce Grey Agreement (2024) By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 085.

Carried.

- b. Kincardine Lions Club Agreement (2024) By-law

Resolution # 06/12/24 - 15

Moved by: Mike Hinchberger

Seconded by: Rory Cavanagh

That the "Kincardine Lions Club Agreement (2024) By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 086.

Carried.

- c. Appoint David Culp as Building Inspector

Resolution # 06/12/24 - 16

Moved by: Beth Blackwell

Seconded by: Bill Stewart

That the "Appoint David Culp as Building Inspector By-law" be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 087.

Carried.

- d. Motion to Pass By-laws

Resolution # 06/12/24 - 17

Moved by: Mike Hinchberger

Seconded by: Beth Blackwell

That the following By-laws are hereby read a first, second and third time, and finally passed this 12th day of June, 2024:

1. Amendment to Zoning By-law 2003-25, for 5031 Highway 9 (Oudshoorn) By-law 2024 - 088
2. Development Charge Interest Policy By-law 2024 - 089
3. Traffic and Parking By-law Amendment (9) By-law 2024 - 090
4. Bruce Avenue Tender By-law 2024 - 091
5. Award the Landfill Compactor Tender By-law 2024 - 092
6. Road Assumption and Naming - Institute Road By-law 2024 - 093
7. Road Assumption and Naming - Kaydan Drive By-law 2024 - 094
8. Award the Connaught Park Lighting Tender (CS-2024-10) By-law 2024 - 095

Carried.

8. Matters for Information

8.1 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. Request for Noise By-law Exemption - Rock with your Docs

That Council authorize the request of Doug Kennedy for an exemption from the provisions of the Noise Control By-law No. 2008 - 076; for the hours of 11:00 p.m. Friday, June 21, 2024, to 1:00 a.m. on Saturday, June 22, 2024, for fundraising event "Rock with your Docs" being held at the Davidson Centre.

b. Request for Noise By-law Exemption - Kincardine Cubs

That Council authorize the request of the Kincardine Cubs for an exemption from the provisions of the Noise Control By-law No. 2008-076; for the hours of 11:00pm Saturday,

June 22, 2024, to 1:00am on Sunday, June 23, 2024, for an annual fundraising event being held at Connaught Park.

- b. Statistical and Information Reports
 - a. 2023 Annual Investment Report, Financial Services-2024-13
 - b. 2023 Parkland Trust Statement
 - c. 2023 Development Charges Statement
 - d. Environmental Services Compliance Report May 2024, Environmental Services-2024-17
- c. Minutes of Committees and Boards
 - a. Accessibility Advisory Committee Minutes - April 25, 2024
 - b. Accessibility Advisory Committee Minutes - May 16, 2024
- d. Communications
 - a. Association of Municipalities of Ontario
 - a. Watchfile, May 16, 2024
 - b. Watchfile, May 23, 2024
 - c. Watchfile, May 30, 2024
 - b. Bruce County Museum and Cultural Centre - An evening with Dr. Brian Goldman
 - c. Christina Wahi - Support for MOK Council SRO Decision
 - d. Grey Bruce Public Health - Municipal By-laws - Smoke Free Ontario Act
 - e. Grey Bruce Settlement Services - Invitation to Multicultural Event 2024
 - f. Minister of Citizenship and Multiculturalism - Amendment to Ontario Heritage Act
 - g. NWMO - Municipal Forum meeting May 16, 2024
 - h. Saugeen Valley Conservation Authority - Interim Leadership
 - i. School Resource Officer
 - a. Shirley Wright - School Resources Officer

- j. Western Ontario Wardens Caucus - Return of Ontario West Municipal Conference
- k. Motions other Municipalities
- a. City of Belleville - Healthcare Resolution in Support of Family Doctors
- b. Town of Bradford West Gwillimbury - Well Water Testing
- c. Town of Cochrane - Increase Ontario Community Infrastructure Fund

8.1 Consent Agenda

- e. Acceptance of Consent Agenda

Councillor Cavanagh did not comment or vote on the motion being considered.

Resolution # 06/12/24 - 18

Moved by: Bill Stewart

Seconded by: Beth Blackwell

That Council approve the recommendations contained in the consent agenda dated June 12, 2024 and direct staff to proceed with all necessary administrative actions.

Carried.

8.2 Members of Council General Announcements

8.3 Chief Administrative Officer Announcements

9. Closed Session (If Required)

Councillor Stewart left the meeting at 6:34 p.m.

Resolution # 06/12/24 - 19

Moved by: Amanda Steinhoff-Gray

Seconded by: Rory Cavanagh

That Council move into closed meeting for the purpose of educating or training members (Applying Cultural Competency into Everyday Practices & Decisions) pursuant to Section 239 (3.1) of the Municipal Act, 2001, as amended; and

Further that Council return to regular open meeting upon completion.

Carried.

9.1 Matters Arising from Closed Session

Mayor Craig reported that a Closed Session was held for the purpose of education and training the members on Applying Cultural Competency into Everyday Practices & Decisions. No Member discussed or otherwise dealt with any matter in a way that materially advanced the business or decision making of Council.

10. Confirmatory By-law

Resolution # 06/12/24 - 20

Moved by: Andrea Clarke

Seconded by: Amanda Steinhoff-Gray

That the By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Kincardine of June 12, 2024 be deemed to be read a first, second and third time, finally passed and numbered as By-law No. 2024 - 096.

Carried.

11. Adjournment

Resolution # 06/12/24 - 21

Moved by: Jennifer Prenger

Seconded by: Rory Cavanagh

That this Council Meeting adjourn at 8:19 p.m.

Carried.

Mayor

Clerk