



## **MUNICIPALITY OF ARRAN-ELDERSLIE**

### **Council Meeting**

### **MINUTES**

**No. 13-2022**

**Tuesday, May 24, 2022, 9:00 a.m.**

**Council Chambers and via Teleconference**

**1925 Bruce Road 10, Chesley, ON**

Council Present: Mayor Steve Hammell  
Deputy Mayor Mark Davis  
Councillor Doug Bell  
Councillor Brian Dudgeon - Present Electronically - left at 11:00 a.m.  
Councillor Melissa Kanmacher  
Councillor Ryan Greig  
Councillor Ryan Nickason

Staff Present: Sylvia Kirkwood - CAO  
Christine Fraser-McDonald - Clerk  
Julie Hamilton - Deputy Clerk  
Scott McLeod - Public Works Manager  
Tracey Neifer - Treasurer  
Carly Steinhoff - Recreation Manager  
Pat Johnston - Chief Building Official - Present Electronically  
Steve Tiernan - Fire Chief

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

Mayor Hammell called the meeting to order at 9:00 am. A quorum was present.

#### **2. Mayor's Announcements (If Required)**

Mayor Hammell noted that as per the Municipality of Arran-Elderslie's Procedural By-law, electronic devices are permitted in Council chambers during open sessions of a meeting only, provided that they are turned to silent or vibrate during the meeting and are not used to record any aspect of the Council unless the Clerk has given consent prior to the meeting and the recording is otherwise in accordance with the Procedure By-law 76-2021.

Congratulations to Len Philippe who was the Top Driver from Bruce County at the 2022 Safety Truck Rodeo at the Bayshore Community Centre in Owen Sound. All the best to Len who will be attending the AORS Provincial Safety Truck Rodeo this September in Napanee.

The Kinsmen's 1st Annual Fish Fry is being held on June 9 from 5-7 p.m. at the Chesley Community Centre.

Supportive Outreach Service at Chesley Baptist Church being held on May 26th from 12-4.

**3. Adoption of Agenda**

Council passed the following resolution:

**166-13-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Greig

Be It Resolved that the agenda for the Council Meeting of Tuesday, May 24, 2022 be received and adopted, as distributed by the Clerk.

**Carried**

**4. Disclosures of Pecuniary Interest and General Nature Thereof**

Mayor Hammell declared an interest on Agenda Item No. 9.1. as the applicant is his father.

**6. Minutes of Previous Meetings**

**6.1 May 9, 2022 Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**167-13-2022**

**Moved by:** Councillor Kanmacher

**Seconded by:** Councillor Greig

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held May 9, 2022.

**Carried**

**9. Public Meeting(s)**

**9.1 Zoning By-Law Amendment – Z-2022-032 (Hammell)**

Mayor Steve Hammell declared a conflict and turned the meeting over to Deputy Mayor Mark Davis. Mayor Hammell left the Council Chambers.

Deputy Mayor Mark Davis called the public meeting to order at 9:06 a.m. He stated that the purpose of the public meeting was to consider a proposed Zoning By-law amendment Z-2022-032 for Jim Hammell.

Megan Stansfield, Planner for the County of Bruce, joined the meeting by teleconference. The purpose of this application is to facilitate a surplus farm dwelling severance of a 1 hectare lot. A Zoning By-Law is required to rezone the retained parcel from General Agriculture (A1) and Environmental Protection (EP), to General Agriculture Special with holding provision (A1-XX-2022-H1) to prevent the development of a future dwelling for the retained farm parcel.

The holding provision is to require an archaeological assessment be completed within areas of high archaeological potential, or confirmation that an archaeological assessment is not required as per the Province's 'Criteria for Evaluating Archaeological Potential'. The severed parcel is proposed to be rezoned to General Agriculture (A1-XX-2022-H2) and would apply a similar holding provision related to archaeological potential as the retained farmlands.

The related consent file (B-2022-015) will be considered by the County at a later date.

Miss Stansfield reviewed the Staff Report with Members of Council.

Comments were received from the following agencies:

- Municipality of Arran-Elderslie - No Comments
- Grey Sauble Conservation Authority - No objection

The Deputy Mayor asked Members of Council if they had any questions.

There were no questions from Members of Council.

The Deputy Mayor asked if the applicant or agent were present and wished to make a submission.

The Deputy Mayor asked if any members of the public wished to make a submission either in favour or opposed to the proposed application.

The Clerk confirmed that no written submissions had been received in relation to the application.

There were no members of the public present in the Council Chambers or on the telephone.

Members of Council and the public were provided a final opportunity for questions prior to the closing of the public meeting.

No further questions were raised and the Deputy Mayor declared the public meeting closed at 9:16 a.m.

Subsequent to further discussion, Council passed the following resolution:

**168-13-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Bell

Be it Resolved that Council approve Zoning By-law Amendment Z-2022-032 and the necessary By-law be forwarded to Council for adoption.

**Carried**

## **10. Delegations/Presentations**

### **10.1 Carol Littlejohn - Paisley Skate Park**

Carol Littlejohn made a presentation to Council regarding the Paisley Skate Park.

The skateboard park was in memory of her relative. She is disappointed that the skateboard parts are sitting at the compost pile. The memorial plaque has also disappeared and she is not happy about the state of the park. If the equipment is not replaced, then the family would be interested in putting up a pavilion for the new splash pad. They have been in contact with the Paisley Splashpad Committee.

Derek Sawyer also noted that there is only a concrete pad left.

Recreation Manager, Carly Steinhoff, noted that the sign will be replaced. The equipment was removed due to safety concerns. She has applied for three different grants for the park, but has been unsuccessful. The plaque will be replaced.

Council directed the Deputy Clerk and Recreation Manager to look into a plaque replacement for the proposed pavilion for the splashpad.

## **11. Correspondence**

### **11.1 Requiring Action**

#### **11.1.1 Tara Splashpad Committee - Waiver Request**

Subsequent to further discussion, Council passed the following resolution:

**169-13-2022**

**Moved by:** Councillor Greig

**Seconded by:** Councillor Nickason

Be it Resolved that Council hereby approves the waiver of the fees for the Tara Curling Club rental for the evening of September 23, 2022 as requested by the Tara Splashpad Committee in the

amount of \$722.44 to be paid from Council donations 01-7410-7601.

**Carried**

## **11.2 For Information**

### **170-13-2022**

**Moved by:** Deputy Mayor Davis

**Seconded by:** Councillor Kanmacher

Be It Resolved that the Council of the Municipality of Arran-Elderslie receives, notes, and files correspondence on the Council Agenda for information purposes.

**Carried**

## **12. Staff Reports**

### **12.1 CAO/Clerks**

#### **12.1.1 SRCLK.2022.16 - Holiday Closure 2022-2023**

Clerk, Christine Fraser-McDonald responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

#### **171-13-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Deputy Mayor Davis

Be It Resolved that Council hereby,

1. That Council supports the closure of the administration building between Christmas and New Year's Day for 2022/2023 (December 26<sup>th</sup> – January 2<sup>nd</sup>) inclusive;
2. At the time of the closure, staff will be required to use their vacation time, lieu time or take time unpaid, based on availability or any combination to cover the closure of the office December 28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup> ; and
3. That the actual days of closure, from one year to the next, shall be determined by Council.

**Carried**

## **12.2 Finance**

### **12.2.1 SRFIN.22.18 Financial Report, December 31, 2021**

Treasurer, Tracey Neifer, responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

#### **172-13-2022**

**Moved by:** Councillor Greig

**Seconded by:** Councillor Nickason

Be It Resolved that Council hereby,

1. Approves the year-end reserve transfers as recommended within report SRFIN.22.18 Financial Report, December 31, 2021, Schedule F:
  1. That the 2021 Operating surplus for Storm Water of \$23,330.41 be transferred to Reserve 2129, and that the surplus transfer takes place annually thereafter; and
  2. That the 2021 Operating surplus for each of the Community Centres and Pools, totalling \$146,871.98 be transferred to Reserve 2181, and that the surplus transfer takes place annually thereafter.
2. Approves the transfer of the WSIB Surplus Funds \$33,347 to Reserve 2106, and that the Reserve be renamed to Employment Matters; and
3. Approves the transfer from Reserves for the purpose of financing Capital Projects totalling \$104,469.03.

**Carried**

## **12.3 Public Works**

Paving contracts have commenced in the Municipality as well as water/sewer construction for Chesley.

"A" gravel is also being put down Municipal roads.

Street sweeping has commenced for the Municipality as well. Works Manager Scott McLeod will follow up on this.

### **12.3.1 SRW.22.19 Tender for Brook Street West, Tara**

Works Manager, Scott McLeod responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**173-13-2022**

**Moved by:** Councillor Bell

**Seconded by:** Councillor Greig

Be It Resolved that Council hereby:

1. That the 2022 Brooke Street West storm sewer design and road reconstruction be postponed to the 2023 Budget review process; and
2. That staff will continue to seek opportunities for grant funding and opportunities for collaboration with adjacent development applications.

**Carried**

**12.3.2 SRW 22.19. Paisley Sewage Plant Enclosure**

Works Manager, Scott McLeod responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**174-13-2022**

**Moved by:** Councillor Kanmacher

**Seconded by:** Councillor Nickason

Be It Resolved that Council hereby,

1. Approve Staff to direct Calhoun Super Structure to commence with the building of a 60ft x108ft enclosure at the Paisley Sewage Plant for a total cost of \$196,518.30 inclusive of HST; and
2. That the funds for this project be drawn from capital ID 02-3796 and 02-3400.

**Carried**

**12.4 Building/Bylaw**

12.4.1 SRCBO.22.02 – Building Permit Quarterly Report for January through April 2022 and Building Permit Statistics

Chief Building Official, Pat Johnston, responded to questions from Members of Council regarding his information report.

He noted that the year started slowly for building, but expects the summer to be busier.

**12.7 Economic Development and Planning**

12.7.1 Major Revision to Draft Plan of Subdivision and Zoning By-law Amendment – 41T-2010-04.09 and Z-2021-046 (Riverview Estates)

CAO, Sylvia Kirkwood responded to questions from Members of Council.

She noted that the application proposes a major revision to an existing Draft Plan of Subdivision on the south side of Brook Street West in Tara.

The application proposed a net increase of eight (8) residential units by:

reducing the number of single detached dwelling lots from 31 to 29 and increasing the number of semi-detached units from 8 to 18.

Council directed staff to contact Katie Lutz to attend a Council meeting regarding school accommodations.

Staff will provide a report regarding the parkland with the subdivision.

Subsequent to further discussion, Council passed the following resolution:

**175-13-2022**

**Moved by:** Councillor Greig

**Seconded by:** Councillor Nickason

Be it Resolved that Council recommend to the County of Bruce Approval Authority that the major revision to Draft Plan of Subdivision 41T-2010-04.09 be approved in accordance with the modified Conditions of Draft Plan of Subdivision Approval attached; and

That Council approve Zoning By-law Amendment Z-2021-046 as attached and the necessary by-law be forwarded to Council for adoption.



**14. Members Updates**

Davis:

Deputy Mayor Davis had concerns regarding by-law enforcement, participation figures from the Chesley Medical Clinic and asked about the Stormwater Report.

Bell:

Councillor Bell will be attending a SMART meeting and had concerns re: students on scooters.

Greig:

Councillor Greig met with University of Guelph students regarding the Tara Recreation Master plan, attended a GSCA meeting and attended a Tara Fire Committee meeting.

Kanmacher:

Councillor Kanmacher attended a Paisley Chamber meeting, will be attending a Paisley community meeting, attending a Teeswater Bridge meeting and received some questions regarding the bridge construction.

Nickason:

Councillor Nickason attended a Tara Fire meeting and a BASWR meeting. He requested a traffic count on the road going into Arran Lake.

Hammell:

Mayor Hammell attended the Tara Fire Committee, met with Lallemand representatives, and noted that there is a new executive for the Paisley Chamber of Commerce.

**15. New Business**

None.

**16. By-laws**

**16.1 By-law 34-2022 - Kellendonk Zoning By-law Amendment**

Subsequent to further discussion, Council passed the following resolution:

**176-13-2022**

**Moved by:** Councillor Greig

**Seconded by:** Councillor Nickason

Be It Resolved that By-law No. 34-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 34-2022 being a By-law to rezone the lands described as Part Lot 15, Concession 6, Lot 14 & Part Lot 16 Plan 204 (Arran), and Lot 17 to 19, Plan 204 (Arran) from General Agriculture 'A1' and Hamlet Residential 'HR' to General Agricultural Special 'A1-34', General Agricultural Holding 'A1-H1', General Agricultural Special Holding 'A1-34-H1', Hamlet Residential Special Holding 'HR-34-H1', and Environmental Protection 'EP' to facilitate related consent applications (B-2021-115 and B-2021-116) for these lands, which will create one new residential lot and reconfigure an agricultural parcel.

**Carried**

#### **16.2 By-law 35-2022 - Agreement with Infinity Network Solutions**

Subsequent to further discussion, Council passed the following resolution:

##### **177-13-2022**

**Moved by:** Councillor Kanmacher

**Seconded by:** Councillor Greig

Be It Resolved that By-law No. 35-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 35-2022 being a By-law to enter into an agreement with 1792930 ONTARIO LTD. (operating as "Infinity Network Services") to provide Information Technology services to the Municipality of Arran-Elderslie.

**Carried**

#### **16.3 By-Law 36-2022 Authorize Agreement - Teeswater Bridge Replacement Detour Route Agreement**

Subsequent to further discussion, Council passed the following resolution:

##### **178-13-2022**

**Moved by:** Councillor Bell

**Seconded by:** Deputy Mayor Davis

Be It Resolved that By-law No. 26-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 36-2022 being a By-law to Being A By-Law to Authorize the Execution of Agreement Between the Corporation of the County of Bruce And the Corporation of The Municipality of Arran-Elderslie, For the maintenance of the Teeswater Bridge Replacement Detour Route

**Carried**

**17. Closed Session (if required)**

The Mayor advised that Council go into Closed Session at 1:02 p.m. for the purpose of matters identified in the motion below.

Subsequent to further discussion, Council passed the following resolution:

**179-13-2022**

**Moved by:** Councillor Kanmacher

**Seconded by:** Councillor Greig

*Be It Resolved*, That the Council of the Municipality of Arran-Elderslie does now go into closed session to discuss an item(s) which relates to:

( ) the security of the property of the municipality or local board

(X) personal matters about an identifiable individual, including municipal or local board employees

( ) proposed or pending acquisition or disposition of real property

( ) labour relations or employee negotiations

(X) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

( ) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

( ) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another act

( ) education or training of members of Council

Staff Authorized to Remain: CAO Sylvia Kirkwood, Clerk Christine Fraser-McDonald and Municipal Solicitor Allan Rouben

**Carried**

**18. Resolution to Reconvene in Open Session**

Mayor Hammell confirmed that Council discussed only those matters identified in the above motion regarding an update from the CAO and the Municipal Solicitor.

Council passed the following resolution:

**180-13-2022**

**Moved by:** Councillor Kanmacher

**Seconded by:** Councillor Greig

Be It Resolved That Council of the Municipality of Arran-Elderslie does now return to the Open Session at 2:05 p.m.

**Carried**

**19. Adoption of Recommendations Arising from Closed Session (If Any)**

Direction was given to staff in Closed Session for items

**21. Confirming By-law**

**21.1 By-law 37-2022**

Subsequent to further discussion, Council passed the following resolution:

**182-13-2022**

**Moved by:** Councillor Greig

**Seconded by:** Councillor Kanmacher

Be It Resolved that By-law No. 37-2022 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 37-2022 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Tuesday, May 24, 2022.

**Carried**

**22. Adjournment**

Subsequent to further discussion, Council passed the following resolution:

**183-13-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Greig

Be It Resolved that the meeting be adjourned to the call of the Mayor at 2:10 p.m.

**Carried**

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk