



## MUNICIPALITY OF ARRAN-ELDERSLIE

### Council Meeting

### MINUTES

**Monday, May 8, 2023, 9:30 a.m.**  
**Council Chambers**  
**1925 Bruce Road 10, Chesley, ON**

Council Present: Mayor Steve Hammell  
Deputy Mayor Jennifer Shaw  
Councillor Ryan Nickason  
Councillor Darryl Hampton  
Councillor Moiken Penner  
Councillor Peter Steinacker

Council Absent: Councillor Brian Dudgeon

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

#### 1. Call to Order

Mayor Hammell called the meeting to order at 9:50 am. A quorum was present.

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

- I would like to ask Council permission to move the Closed Session to 10:30 a.m. today.
- I would like to acknowledge a donation that has been received from the Joan and Jim Patterson Foundation for the Chesley Medical Clinic. This donation will go towards new equipment for the procedure room.
- May is Building Safety Month across Ontario to bring awareness to the public of the Ontario Building Code, the importance in obtaining building permits and the efforts of municipal building officials.
- May 7 to May 13 is Emergency Preparedness Week which is an opportunity for you to take action to ensure you are prepared to protect yourself, your family and your community during an emergency. This year, the theme is *Be Prepared. Know Your Risks*. The intent of the theme is to

encourage Canadians to understand the risks in their area and learn what actions they can take to protect themselves and their families.

- The month of May is also Museum Month. This a program of the Ontario Museum Association and celebrated by Ontario's 700+ museums, galleries, and heritage sites. It is an opportunity to celebrate the vital contributions of museums to Ontario and to kick-off 2023's summer tourism season! May's Museum Month coincides with [International Museum Day](#) on May 18th. With this year's theme of "Museums, Sustainability and Wellbeing", we want to encourage all Ontarians to come together and realize the full transformative potential that museums have for sustainable development and wellbeing!
- May 16 to 22, 2023 is Canada Road Safety Week. Canada Road Safety Week is an enforcement-driven initiative led by the Canadian Association of Chiefs of Police (CACP), and more specifically by the CACP's Traffic Safety Committee. It is designed to increase public compliance with safe driving measures in order to save lives and reduce injuries on our roads. This road safety awareness campaign is part of the broader Canada's Road Safety Strategy 2025, which aims to make Canada's roads the safest in the world. To this end, the campaign is focused on behaviours that put drivers, passengers, pedestrians and other vulnerable road users most at risk.

### **3. Adoption of Agenda**

Council passed the following resolution:

**145-11-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Penner

Be It Resolved that the agenda for the Council Meeting of Monday, May 8, 2023 be received and adopted, as distributed by the Clerk.

**Carried**

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

#### **4.1 Councillor Nickason - SRREC.23.05 Floor Scrubber Purchase – Tara Community Centre**

His daughter works at Barclay Wholesale.

### **5. Unfinished Business**

None.

### **6. Minutes of Previous Meetings**

**6.1 Regular Council Minutes - April 24, 2023.**

Subsequent to further discussion, Council passed the following resolution:

**146-11-2023**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Steinacker

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held April 24, 2023.

**Carried**

**7. Business Arising from the Minutes**

None.

**8. Minutes of Sub-Committee Meetings**

None.

**9. Public Meeting(s)**

**9.1 Zoning By-law Amendment - Z-2023-031 - Delton Martin**

Mayor Steve Hammell called the public meeting to order at 9:30 a.m. He stated that the purpose of the public meeting was to consider a proposed Zoning By-law Amendment Z-2023-031 for Delton Martin.

Julie Steeper, Planner for the County of Bruce, attended the meeting and presented her report.

She noted that the application proposes to seek relief from the side yard setback for accessory buildings. The proposed side yard setback is 3 m whereas the requirement in the bylaw is 20 m. The applicant is requesting relief for 17 m. If approved, the application would facilitate the new construction of a storage shed.

The property is considered to have high archeological potential due to a watercourse that runs on the property. A holding provision requiring an Archaeological Assessment for the lands containing high archaeological potential is proposed. The holding provision will not allow site alteration or development until an archaeological assessment has been provided by a qualified individual; the appropriate Ministry has accepted and registered the assessment, if required; and the recommendations of the archaeological assessment (if any) have been implemented. If no development is proposed in the areas of high archaeological potential no assessment will be required. Normal farm practices can continue on the lands identified as having high archeological potential.

The applicant is trying to limit the amount of agricultural land being taken out of production.

Comments were received from the following agencies:

- Municipality of Arran-Elderslie: No comment or concerns.
- Bruce County Transportation Services: No comment.
- Saugeen Valley Conservation Authority: SVCA staff find the application to be acceptable

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

Deputy Mayor Shaw asked about the archeological potential area and if it was consistent with the environmentally protected area. She was also concerned that the County transportation department had no comments on this application as there are not good sight lines for the laneway. This is a large exception and is concerned with the precedence that is being set.

Councillor Nickason asked about the proposed building and if the snow comes off the roof of the barn and destroys the existing fence.

Councillor Hampton asked about water drainage coming off the large roof. Does that water end up on the applicants property or the neighbour's property.

Councillor Steinacker had concerns regarding the large exception to the sideyard setback.

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

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

The Mayor asked the Clerk if any written submissions had been received. None had been received.

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 Mayor declared the public meeting closed at 10:13 a.m.

**Council defeated the motion, and therefore the application, based on the following: it is a large exception to the by-law, concerns regarding drainage, road access and sightlines and the decreased setback from the lot line.**

Subsequent to further discussion, Council passed the following motion:

**147-11-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be it Resolved that Council approve Zoning By-law Amendment Z-2023-031 as attached and the necessary by-law be forwarded to Council for adoption at the next available Council meeting.

**Defeated**

**10. Delegations**

None.

**11. Presentations**

**11.1 Edward Henley - Bruce County Development Charges**

Mr. Henley gave a presentation to Council regarding Bruce County Development Charges.

He noted that Bruce County had retained Watson and Associates to prepare a background study. Development charges are utilized to recover the capital costs associated with residential and non-residential growth within a municipality. The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, sidewalks, streetlights.). Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.).

They cannot collect development charges on libraries as the buildings are not owned by the County.

Churches, cemeteries, hospitals, non-profit organizations, temporary use buildings etc are exempt from Development Charges.

Council thanked Mr. Henley for his presentation.

**12. Correspondence**

**12.1 Requiring Action**

**12.1.1 2023 Childhood Cancer Awareness Month Request**

Subsequent to further discussion, Council passed the following resolution:

**152-11-2023**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Penner

WHEREAS: September is officially recognized internationally as Childhood Cancer Awareness Month; and,

WHEREAS: The most recent data shows that cancer remains the leading cause of disease-related death in children; and,

WHEREAS: The most recent data shows that incidence rates of childhood cancer are increasing; and,

WHEREAS: Cancer in children affects aspects of their physical, emotional, and social development, as well as their family and school life, effects which research shows are long-lasting; and,

WHEREAS: Childcan believes childhood cancer must be designated a child health priority, and that support services for families are critical; and,

WHEREAS: Childcan raises awareness and funds to provide personalized, responsive, and compassionate programs and services to families facing the childhood cancer journey from diagnosis, through treatment, post-treatment care, or bereavement and,

WHEREAS: Organizations which support families dealing with childhood cancer are working together to raise awareness of this disease and its devastating effects, as well as raising funds to support the affected families and children; and,

WHEREAS: Raising awareness and funds will help these families and children deal with the emotional and financial toll

THEREFORE: I, Steve Hammell, Mayor of Arran-Elderslie do hereby proclaim September 2023 Childhood Cancer Awareness Month in Arran-Elderslie.

**Carried**

#### 12.1.2 Correspondence from Bruce County County - Pathways to Decarbonization Report

Subsequent to further discussion, Council directed staff to speak to the County Clerk regarding this request.

#### **12.2 For Information**

Subsequent to further discussion, Council passed the following resolution:

**153-11-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Deputy Mayor Shaw

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**

12.2.1 Rick Byers, MPP - Media Release

12.2.2 MPAC Annual Report and Financial Statements

12.2.3 Bruce Area Solid Waste Recycling Financial Statements 2022

12.2.4 AMO Policy Update

12.2.5 Grey Sauble Conservation Authority - Board Minutes March 22, 2023

### **13. Staff Reports**

#### **13.1 CAO/Clerks**

#### **13.2 Finance**

The 2022 Audit is being completed with BDO attending the May 23rd Council meeting to present the 2021 Financial Statements.

##### **13.2.1 SRFIN.23.16 Computer Purchases**

Subsequent to further discussion, Council passed the following resolution:

##### **154-11-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be It Resolved that Council hereby,

1. Support staff working with CompuCom Canada Co. for the purchase of Corporate Computers; and
2. That the Bids and Tenders page of the Municipality's website shall be updated to reflect the Group Purchasing with the Ministry of Public and Business Service Delivery for Desktop Management Services and Products.

**Carried**

#### **13.3 Public Works**

### **13.4 Building/Bylaw**

### **13.5 Facilities, Parks and Recreation**

#### **13.5.1 SRREC.23.05 Floor Scrubber Purchase – Tara Community Centre**

Councillor Nickason declared a conflict on this item. (His daughter works at Barclay Wholesale.)

Subsequent to further discussion, Council passed the following resolution:

#### **155-11-2023**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Steinacker

Be It Resolved that Council hereby,

1. Accept the recommendation to purchase a Nacecare TGB 1120 Floor Scrubber from Barclay Wholesale at a cost of \$7,250.25, inclusive of applicable taxes.

**Carried**

#### **13.5.2 SRREC.23.06 Recreation Department Update**

Subsequent to further discussion, Council passed the following resolution:

#### **156-11-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Penner

Be It Resolved that Council hereby,

1. Redirect funds for the Tara Arena Chiller Replacement to accommodate unexpected expenses associated with the Chesley Community Centre natural gas conversion, Chesley Community Centre brine pump replacement and door replacement at the Tara Pavilion;
2. Defer the Tara Arena Chiller Replacement, 23-RECC-0018 to the 2024 Capital Budget; and
3. Defer the Chesley Electronic Sign Replacement, 23-RECC-0031 to the 2024 Capital Budget.

4. That these purchases be exempt from Section 4.6 of the Procurement Policy requiring three (3) written competitive quotes

**Carried**

### 13.5.3 SRREC.23.07 Paisley Dog/Leash Free Park Update

Carly Steinhoff, Park, Facilities and Recreation Manager gave an update on the Paisley Dog Park.

In 2021, a group of residents in Paisley approached staff about the potential of creating a dog park on municipally owned land in Paisley. The sites that were considered were Dr. Milne Park, James Street land, ball diamond 2, and Mary Cumming Park. The Committee chose Dr. Milne Park as the preferred location and Council was supportive of this. Staff worked with the residents that had formed a Committee to develop and design the layout, and the Committee began fundraising initiatives.

It was recommended by the Committee that the best location at this time was Diamond 2, as the park has been utilized as an unofficial dog park for several years.

The Committee also decided that Diamond 2 is an interim location for the park, and should the diamond be required for softball, then the Municipality will remove dog park signage and repurpose the area back to a ball diamond.

The Dog Park Committee has raised \$10,000 to date, however, \$1,500 has been refunded and \$1,000 has been redirected by a donor to the Paisley Splashpad. The total amount available is \$7,500.

There will be costs associated with signage and the dog waste system, that will be drawn from the Dog Park Donation account.

## **13.6 Emergency Services**

Chief Tiernan noted that they had received \$16,400 from a Fire House Subs Grant for new radios.

A grant from Ontario Power Workers was also approved for props for the fire simulation area.

## **13.7 Economic Development and Planning**

### **13.8 SRW.23.10 4th Street SE, Chesley – Speeding Concerns**

Works Manager Scott McLeod discussed his report with Council for information purposes regarding concerns about speeding on 4th Street SE in Chesley.

**14. Notice of Motion**

None.

**15. Members Updates**

Shaw:

Deputy Mayor Shaw attended a Grey Sauble Conservation Authority (GSCA) meeting as well as an agricultural advisory committee meeting and an indigenous relations committee as part of the GSCA, update on tile drains, attended a SMART meeting, attended a Drainage Act workshop, and presented a certificate to Hidden Waters Spa.

Hampton:

Councillor Hampton had nothing to report.

Dudgeon:

Councillor Dudgeon was absent.

Steinacker:

Councillor Steinacker attended the Fire Fighter's Breakfast, attended the mutual aid meeting, and received a request for a handicapped parking space in Tara.

Penner:

Councillor Penner had nothing to report.

Nickason:

Councillor Nickason attended the Mutual Aid meeting.

Hammell:

Mayor Hammell will be attending a Transit meeting, human trafficking meeting, attended the Hanover Ceremony of the Day of Mourning, attended the Mutual Aid meeting, and attended the Fire Fighter's Breakfast at the Tara Legion.

**16. New Business**

None.

**17. By-laws**

None.

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

Subsequent to further discussion, Council passed the following resolution:

**148-11-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Hampton

*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; Financial Services Review
- ( ) a proposed or pending acquisition or disposition of land by the municipality or local board;
- ( ) labour relations or employee negotiations;
- ( ) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (X) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; Procurement Policy discussions with Municipal Solicitor -Procurement Policy discussions with Municipal Solicitor
- ( ) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- ( ) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- ( ) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- ( ) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- ( ) 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 or local board.

Staff Authorized to Remain: Item 1 - CAO Sylvia Kirkwood, Clerk Christine Fraser-McDonald and Treasurer Tracey Neifer

Item 2 - CAO Sylvia Kirkwood, Clerk Christine Fraser-McDonald, Treasurer Tracey Neifer and Municipal Solicitor Eric Davis

**Carried**

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

Mayor Hammell confirmed that Council discussed only those matters identified in the motion regarding the financial services review and the proposed procurement policy.

Subsequent to further discussion, Council passed the following resolution:

**149-11-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be It Resolved That Council of the Municipality of Arran-Elderslie does now return to the Open Session at 11:43 a.m.

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

Subsequent to further discussion, Council passed the following resolution:

**150-11-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be it resolved that Council directs staff to hire BDO to prepare a payroll system audit at an upset limit of \$10,000 and that this purchase be exempt from Section 4.6 of the Procurement Policy requiring three (3) written competitive quotes.

**Carried**

**21. Adoption of Closed Session Minutes**

Subsequent to further discussion, Council passed the following resolution:

**151-11-2023**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Penner

Be It Resolved; that Council of the Municipality of Arran-Elderslie adopt the minutes of the Closed Session dated April 24, 2023.

**Carried**

**22. Confirming By-law**

**22.1 By-law 30-2023 - Confirming By-law**

**157-11-2023**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Steinacker

Be It Resolved that By-law No. 30-2023 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 30-2023 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Monday, May 8, 2023.

**Carried**

**23. Adjournment**

Subsequent to further discussion, Council passed the following resolution:

**158-11-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that the meeting be adjourned to the call of the Mayor at 1:51 p.m.

**24. List of Upcoming Council meetings**

May 23, 2023    June 12, 2023

June 26, 2023    July 10, 2023

August 28, 2023

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk