



## **MUNICIPALITY OF ARRAN-ELDERSLIE**

### **Council Meeting**

### **MINUTES**

#### **Meeting No. 27-2022**

**Monday, November 28, 2022, 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
Council Absent:	Councillor Brian Dudgeon Councillor Peter Steinacker
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 Steve Tiernan - Fire Chief

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

Mayor Hammell called the meeting to order at 9:30 am. A quorum was present.

The Mayor asked Council for their permission to amend the agenda to allow for the Kinsmen's presentation and to go into closed session immediately after.

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

The Mayor noted that the Chesley Santa Claus Parade would be held on December 2nd @ 7:00 p.m. and the Tara Santa Claus Parade on December 3rd @ 7:00 p.m.

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

Council passed the following resolution:

**328-28-2022**

**Moved by:** Councillor Hampton

**Seconded by:** Deputy Mayor Shaw

Be It Resolved that the agenda for the Council Meeting of Monday, November 28, 2022 be received and adopted, as distributed by the Clerk.

**Carried**

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

None.

**5. Unfinished Business**

None.

**6. Minutes of Previous Meetings**

**6.1 October 11, 2022 Regular Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**329-28-2022**

**Moved by:** Mayor Hammell

**Seconded by:** Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held October 11, 2022.

**Carried**

**6.2 November 21, 2022 Special Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**330-28-2022**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Hampton

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Special Council Session held on November 21, 2022.

**Carried**

**6.3 November 22, 2022 Special Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**331-28-2022**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Penner

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Special Council Session held November 22, 2022.

**Carried**

**7. Business Arising from the Minutes**

None.

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

**8.1 Multi-Municipal Wind Turbine Working Group September 8, 2022  
Approved Minutes**

Council passed the following resolution:

**332-28-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that the Council of the Municipality of Arran-Elderslie receives the minutes of the Multi-Municipal Wind Turbine Working Group meeting held on September 8, 2022.

**Carried**

**9. Public Meeting(s)**

None.

**10. Delegations**

**10.1 Chesley Kinsmen**

The Chesley Kinsmen's Club presented a cheque for the Chesley Splash Pad.

Bob Johnson, Bill Gardhouse and Nathan Rhody were present on behalf of the club.

They asked for \$91,000 for a new playground to replace the existing equipment. It will be AODA accessible and they will also improve the drainage in the area.

They are looking for an interest free loan for up to ten years from the Municipality.

## **11. Presentations**

### **11.1 James Special Services & Eric Davis, SV Law - By-law Enforcement**

Jerry Fluney of James Special Services and Eric Davis of SV Law spoke to Council regarding By-law Enforcement for the Municipality.

He noted that they enforce the by-laws for the Municipality. They focus on Tidy Yards, Property Standards and parking. They provide support to Animal Control.

There is a night by-law officer seven days a week at this time of year.

They would prefer that Council is not involved as they are part of the Property Standards committee and would have to hear the appeal. It is in their own best interest to let JSS complete their work.

Emails are responded to within 24 hours.

Mr. Davis noted that the privacy of the complainant is protected unless the complainant must be called as a witness.

CAO Sylvia Kirkwood noted that there is a portal on the website for the public to submit their complaints.

Council thanked Mr. Fluney and Mr. Davis for their presentation.

## **12. Correspondence**

### **12.1 Requiring Action**

#### **12.1.1 Hawks Nest Competition Sponsorship Request**

Council requested that a representative from the Hawks Nest be available to speak at a future Council meeting and the correspondence was received for information at this time.

### **12.2 For Information**

Subsequent to further discussion, Council passed the following resolution:

#### **333-28-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Hampton

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 OMAFRA - Ontario Wildlife Damage Compensation Program**

- 12.2.2 Crime Stoppers of Grey Bruce
- 12.2.3 Saugeen Mobility and Regional Transit Minutes - September 30, 2022
- 12.2.4 Grey Sauble Conservation Authority Board Minutes - September 28, 2022
- 12.2.5 Saugeen Valley Conservation Authority Board Minutes - September 15, 2022
- 12.2.6 Ministry of Municipal Affairs and Housing - More Homes Built Faster
- 12.2.7 Grey Sauble Conservation Authority - Report Fee Policy
- 12.2.8 Paisley Rotary Club - Ash Tree Removal at Paisley Rotary Campground
- 12.2.9 Multi-Municipal Wind Turbine Working Group letter to new Councils
- 12.2.10 Tara Rotary Club - Pool Update

### **13. Staff Reports**

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

- 13.1.1 SRCLK.2022.21 – 2023 Regularly Scheduled Council Meetings  
Clerk, Christine Fraser-McDonald gave her information report to Council.

#### **13.2 Finance**

- 13.2.1 SRFIN.22.24 Financial Update, September 30, 2022  
Treasurer Tracey Neifer provided Council with a Financial Update for their review.
- 13.2.2 SRFIN.22.25 Revised Operating and Capital Budget Timeline for 2023

Subsequent to further discussion, Council passed the following resolution:

**334-28-2022**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Hampton

Be It Resolved that Council hereby,

1. Provides staff the authority to purchase goods or services required for the day-to-day operations of the Municipality,

without the prior approval of Council, until such time as the 2023 Operating and Capital Budget is approved by Council.

**Carried**

### **13.3 Public Works**

Public Works Manager noted that all positions are full for winter patrol.  
The back roads are being graded after the rainfall that was received.

### **13.4 Building/Bylaw**

13.4.1 SRCBO.22.04 – Quarterly Report - Building Permit Statistics from January to September 2022

The Chief Building Official discussed his information report with Council.

13.4.2 SRDPCLK.22.09 By-Law Enforcement and Animal Control Update  
Deputy Clerk, Julie Hamilton, presented her report to Council.

**335-28-2022**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Penner

Be It Resolved that Council hereby,

1. Authorizes an additional one-year extension to the existing contract for continued bylaw enforcement services with James Special Services Inc.;
2. Directs Staff to continue to work with JSS to update and enhance municipal bylaw enforcement efforts
3. Direct Staff to issue a Request for Quote for a property maintenance and cleanup services contractor.

**Carried**

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

13.5.1 SRREC.22.14 Arran-Elderslie Accessibility Projects

Facilities, Parks and Recreation Manager, Carly Steinhoff presented her report to Council.

**336-28-2022**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Penner

Be It Resolved that Council hereby,

1. Accept the proposal from Domm Construction to complete the Arran-Elderslie Municipal Office Lift project, in the amount of \$118,870.00 plus applicable taxes;
2. Accept the proposal from Domm Construction to complete the Elevator project at the Paisley Community Centre, in the amount of \$231,920.00 plus applicable taxes, and,
3. That Council, in accordance with Article 4.7 of the Procurement Policy, waives the requirement to proceed with an RFP.
4. That Council authorizes 2023 Pre-Budget Approval for an additional \$60,332.00 to be allocated to the costs for the Elevator/Lift Projects.

**Carried**

### **13.6 Emergency Services**

#### 13.6.1 SRFIRE.22.09 3rd Quarter Fire Report

Fire Chief Steve Tiernan presented his report to Council.

### **13.7 Economic Development and Planning**

None.

### **14. Notice of Motion**

None.

### **15. Members Updates**

Shaw:

Deputy Mayor Shaw attended the Paisley Santa Claus Parade and will be attending Clean Water Training in Walkerton. Also attended a meeting regarding the Paisley Bridge detour.

Hampton:

Councillor Hampton had nothing to report.

Hampton:

Councillor Dudgeon was absent.

Steinacker:

Councillor Steinacker was absent.

Penner:

Councillor Penner attended the Paisley Santa Claus Parade and will be attending Clean Water Training in Walkerton. She also attended a meeting regarding the Paisley Bridge detour.

Nickason:

Councillor Nickason noted that there is a BASRW meeting on December 8, 2022.

Hammell:

Mayor Hammell thanked staff for their work for the Inaugural Meeting on November 15, 2022. He attended a Chesley Agricultural Society meeting, attended Council training on November 21st and 22nd. He also attended Bruce County Council training on November 24th. There was an update from the Hospital and CAO Michael Barrett will not be renewing his contract. Everything is on schedule to open the ER on December 5th. He attended the Paisley Santa Claus Parade and then attended the Paisley Firefighters Service Awards.

## **16. New Business**

### **16.1 Committee Appointments**

Subsequent to further discussion, Council passed the following resolution:

#### **337-28-2022**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be it resolved that the following members of Council be appointed to the following advisory committees, groups and boards for the 2022 - 2026 term of Council or until a successor is appointed:

Grey Sauble Conservation Authority - Deputy Mayor Shaw

Saugeen Valley Conservation Authority - Councillor Penner

Chesley and Area Joint Fire Board - Councillor Hampton, Councillor Dudgeon

Saugeen Mobility and Regional Transit - Deputy Mayor Shaw

Bruce Area Solid Waste Recycling - Councillor Nickason

Multi-Municipal Wind Turbine Working Group - Councillor Dudgeon, Citizen Member Mark Davis, Councillor Nickason

Physician Recruitment and Retention Committee - Councillor Hampton, Councillor Penner

Paisley Firehall Subcommittee - Councillor Penner, Mayor Hammell, Deputy Mayor Shaw



**Carried**

## **16.2 Paisley Temporary Bridge - Proposed Restrictions**

CAO Sylvia Kirkwood noted that

Subsequent to further discussion, Council passed the following resolution:

**338-28-2022**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Penner

Whereas, the County of Bruce and the Municipality of Arran-Elderslie were supportive of the need to replace the former Teeswater Bridge in Paisley;

Whereas, in August, 2022 the Teeswater Bridge was removed and a temporary detour route was established and a replacement bridge was erected between Goldie Street and Church Street (between the Paisley Firehall and the Paisley Community Centre);

Whereas, the temporary detour replacement bridge is to be in place until fall of 2023;

Whereas, that due to the configuration of the approach ramps to the temporary bridge and the tight turning radius for large transport trucks which appears to be difficult to navigate and even more so when there are other vehicles in the oncoming lane;

Whereas, a number of large transport trucks continually hit and damage pylons and a number of accidents where jersey barriers and hydro poles have been hit and damaged;

Whereas, in particular on November 18, 2022 a large transport truck hit a hydro pole on Church Street/Queen Street;

Whereas, the accident resulted in severe impacts to the Community with the closure of the bridge to north and south bound traffic and a period of hydro outage;

Whereas, not only were the public and residents inconvenienced, businesses were economically impacted with loss of business revenue;

Whereas, the Council of the Municipality of Arran-Elderslie acknowledges the negative impacts and request that the County of Bruce, OPP and Arran-Elderslie staff look at opportunities to reduce speeding, adequate signage, restrict vehicles due to size, weight or length and/or

improvements to the temporary route to reduce future damage and road closures;

Whereas, and further the Council of the Municipality of Arran-Elderslie request municipal staff to review the opportunities for the establishment of a community safety zone, reduction in speed limits, adequate signage, vehicle size, weight and/or length restrictions and any other improvements that may avoid future impacts; and

Now therefore, be it resolved that a copy of this motion be sent to County of Bruce, and the OPP and a report be brought back to Council with the findings of this review.

**Carried**

### **16.3 Petition re: Speeding on 4th Street SE, Chesley**

A petition was received by the Municipality regarding speeding on 4th Street SE in Chesley.

There are 19 residents from that street that signed the petition.

There was a previous report completed in 2018 regarding this street.

Works Manager Scott McLeod provided information for Council with data from the street.

Council requested that the "black cat" be placed on the street to detect speeding.

### **16.4 Chesley Kinsmen - Chesley Playground**

**339-28-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be it resolved that the Council of the Municipality of Arran-Elderslie hereby,

1. Issue an Request for Proposal (RFP) for the purchase of AODA compliant replacement playground equipment for Chesley Riverside Park, to the maximum amount of \$91,000, inclusive of HST, in accordance with the Municipality's Procurement Policy, and the Chesley Kinsmen shall participate as part of the selection committee to award the RFP; and
2. Further that, the Municipality of Arran-Elderslie upon awarding of an RFP agree to the following:

2.1 Staff be directed to enter into an interest-free loan agreement with the Chesley Kinsmen, for a net expense of \$82,830.56, being total project cost net of HST rebates.

2.2 The loan agreement shall be in accordance with Section 7 of the Grant and Donation Policy, which provides for community projects and consideration to an interest-free loan with annual repayments over 10-year term.

**Tabled**

**17. By-laws**

None.

**18. Closed Session (If Required)**

Council passed the following resolution:

**340-28-2022**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Hampton

Be It Resolved That 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;
- ( ) personal matters about an identifiable individual, including municipal or local board employees;
- ( ) 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; Litigation update with Andrew Loucks
- ( ) 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:

CAO Sylvia Kirkwood, Clerk Christine Fraser-McDonald and Municipal Solicitor Andrew Loucks

**18.1 Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; Litigation Update with Andrew Loucks**

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

Mayor Hammell noted that a closed meeting was held. The one item considered was a litigation update from Municipal Solicitor Andrew Loucks. There is nothing further to report.

Subsequent to further discussion, Council passed the following resolution:

**341-28-2022**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Penner

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

**Carried**

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

Direction was given to staff and the Municipal Solicitor.

**21. Adoption of Closed Session Minutes**

None.

**22. Confirming By-law**

**22.1 64-2022 - Confirming By-law**

Subsequent to further discussion, Council passed the following resolution:

**342-28-2022**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Penner

Be It Resolved that By-law No. 64-2022 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 64-2022 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Monday, November 28, 2022.

**Carried**

**23. Adjournment**

Subsequent to further discussion, Council passed the following resolution:

**342-28-2022**

**Moved by:** Councillor Hampton

**Seconded by:** Deputy Mayor Shaw

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

**24. List of Upcoming Council meetings**

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk