



MUNICIPALITY OF ARRAN-ELDERSLIE

Council Meeting

MINUTES

Tuesday, April 11, 2023, 9:30 a.m.

Council Chambers

1925 Bruce Road 10, Chesley, ON

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

Council Absent: Councillor Ryan Nickason
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
Pat Johnston - Chief Building Official - Present Electronically
Steve Tiernan - Fire Chief

1. Call to Order

Mayor Hammell called the meeting to order at 9:38 am. A quorum was present.

2. Mayor's Announcements (If Required)

None at this time.

3. Adoption of Agenda

Council passed the following resolution:

112-09-2023

Moved by: Councillor Penner

Seconded by: Deputy Mayor Shaw

Be It Resolved that the agenda for the Council Meeting of Tuesday, April 11, 2023 be received and adopted, as distributed by the Clerk.

Carried

4. Disclosures of Pecuniary Interest and General Nature Thereof

None at this time.

5. Unfinished Business

5.1 Paisley Blues Festival Request

Subsequent to further discussion, Council passed the following resolution:

113-09-2023

Moved by: Councillor Penner

Seconded by: Councillor Hampton

Be It Resolved that the Council of the Municipality of Arran-Elderslie

1. Support the request by the Paisley Blues Festival to reduce the Facility Rental Fees to \$2,691.52 from the required \$4,086.25 for the Blues Festival planned for June 2, 3 and 4, 2023. The difference of \$1,394.73 shall be donated from the Paisley Blues Festival to an appropriate Paisley municipal project such as the Paisley Splash Pad, and further that that the reduction in rental fees, \$1,394.73, will be financed from the Grant and Donations Account 01-7410-4633.

Carried

5.2 Notice of Motion - Deputy Mayor Shaw - Support for Bill 5 - Stopping Harassment and Abuse by Local Leaders Act

Deputy Mayor Shaw noted that in March of 2021, Orleans Member of Provincial Parliament Stephen Blais put forward a Bill: "The Stopping Harassment and Abuse by Local Leaders Act". The bill was brought forward to introduce legislation that would deter municipal councillors and board members from engaging in harassment by holding them to account for their actions, including creating a process to remove them from office. The bill "requires that codes of conduct for municipal councillors and members of local boards include requirements for those councillors and members to comply with workplace violence and harassment policies, and creates an integrity commissioner and judicial process to remove them from office for egregious acts of sexual, emotional and psychological misconduct"

The bill was reintroduced in October of last year as Bill 10. In his address to the House, Mr. Blais conveyed the urgency to prioritize and pass this

legislation before the most recent provincial election to ensure it was in full effect prior to the upcoming municipal elections.

The legislation died on the floor when the provincial election was called, and has since been reintroduced as Bill 5 in August. It is non-partisan and had all-party support.

In every other workplace in Ontario, employees are held to violence and harassment in the workplace policies. Currently, there is no legislation that provides an appropriate mechanism for accountability for municipally elected representatives when it comes to perpetrating harassment. In any other job, if egregious acts of harassment is substantiated, the person is FIRED. In the present, not only can an elected representative perpetrate harassment, no matter how egregious, they can retain their position and seek re-election.

The Bill is simple. It has two primary components:

1. Hold municipally elected officials to violence and harassment policies of the municipality they serve
2. Create a process by which the integrity commissioner can apply to the courts to vacate a position for substantiated acts of egregious harassment.

All claims need to be substantiated, like in any other workplace HR department, and only in those instances where harassment was deemed egregious would an application to the courts be made for removal.

If removed, the person would not be eligible to pursue subsequent re-election or be appointed to the Council or Local Board. This is the SAME consequence applied to candidates who fail to file a financial statement for their election campaign. It is hard to stand here and try to rationalize how a lack of financial disclosure warrants penalty, while councilors guilty of egregious harassment can pursue re-election carte blanche. Something is wrong with this picture.

This is about our workplace safety. As elected leaders of our community, we are responsible for ensuring basic human rights are respected and protected. This Bill is the foundation.

There are so many good people that serve the people as elected representatives. However, like every sector, there are people who are guilty of perpetrating harassment in the workplace. One does not have to look far to find examples, such as Barrie, Ottawa, Mississauga and Brampton that were cited by MPP Blais as to WHY this legislation is so necessary. In fact, the number of examples have only increased since the Bill was last on the floor.

Over 30 municipalities have now endorsed this bill, including Kincardine, Barrie, Springwater, Wasaga Beach, Ottawa, Woodstock, Tiny, Orillia,

Penatanguishine, Clearview, Bradford West Gwillimbury, Adjala-Tosorontio, New Tecumseth, and Collingwood.

Subsequent to further discussion, Council passed the following resolution:

114-09-2023

Moved by: Deputy Mayor Shaw

Seconded by: Councillor Penner

WHEREAS Bill 5 - Stopping Harassment and Abuse by Local Leaders Act would introduce an enforceable requirement for elected leaders to comply with workplace violence and harassment policies including appropriate recourse when an Integrity Commissioner's inquiry determines that the member has contravened this requirement; and

WHEREAS Bill 5 - Stopping Harassment and Abuse by Local Leaders Act has been reintroduced and received first reading on August 10, 2022;

NOW THEREFORE, Be It Resolved that the Council of the Corporation of the Municipality of Arran-Elderslie express its support for Bill 5 - Stopping Harassment and Abuse by Local Leaders Act;

AND FURTHER THAT this resolution be circulated to Doug Ford, Premier of Ontario; Steve Clark, Minister of Municipal Affairs and Housing; MPP Stephen Blais, Orléans; and Grey-Bruce-Owen Sound MPP Rick Byers.

Carried

6. Minutes of Previous Meetings

6.1 March 27, 2023 Council Minutes

Subsequent to further discussion, Council passed the following resolution:

115-09-2023

Moved by: Councillor Hampton

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 March 27, 2023.

Carried

7. Business Arising from the Minutes

None.

8. Minutes of Sub-Committee Meetings

8.1 MMWTWG Minutes of January 12, 2023 Meeting

Council passed the following resolution:

116-09-2023

Moved by: Deputy Mayor Shaw

Seconded by: Councillor Penner

Be It Resolved that the Council of the Municipality of Arran-Elderslie hereby receives the minutes of the Multi-Municipal Wind Turbine Working Group meeting of January 12, 2023 for information purposes.

Tabled

9. Public Meeting(s)

None.

10. Delegations

None.

11. Presentations

11.1 Community Safety and Well Being Plan - Sarah Pelton

Sarah Pelton, Community Safety and Well Being Planning Coordinator, gave her presentation to Council. OPP Inspector Christa Miller, OPP Keegan and Christine MacDonald, Deputy CAO for Bruce County were also present.

She noted that upstream prevention, enhanced coordination and communication, evidence-based decision-making and Planning and reduced investment in incident response make up this plan.

There were over 70 partners in the process including Grey and Bruce Counties.

These plans were legislated for all communities across Ontario.

Deputy Mayor Shaw asked for an example of a situation that would come to the Committee.

Councillor Hampton asked if there was anything that the Committee could do to support Chesley Place. Christine MacDonald noted that Chesley Place is a privately owned building.

Councillor Steinacker asked if the residents at Chesley Place can go for two weeks without hot water.

Ms. Pelton noted that there is a referral form for any situations such as emergency housing.

Council thanked Ms. Pelton for her presentation.

11.2 Ontario Power Generation - Update - Brent Fisher and Kaitlyn Nevill

Brent Fisher and Kaitlyn Neville gave their presentation to Council.

He noted that OPG is Ontario's largest clean energy producer, generating 50% of Ontario's electricity, with 60% coming from nuclear energy.

OPG's Climate Action Plan commits OPG to being a net zero company by 2040, and nuclear energy is a vital part of the clean energy mix to ensure our hospitals, schools, businesses and homes are operational 24/7.

In October 2021, OPG launched its first ever Reconciliation Action Plan: our road map for how we work in partnership with Indigenous communities, businesses and organizations to advance reconciliation.

By-products such as Tritium, Helium 3 and Heavy Water are used in fusion research, medical diagnostics and in technological advancements. Tritium is used as a biomedical tracer, for research in fusion power as well as in emergency lighting.

In early 2022, OPG initiated the construction of a 42,000 square foot facility, located at the Bruce Energy Centre in Kincardine.

The NWMO is undertaking a process to site a Deep Geological Repository for all of Canada. The site selection is to be completed by 2024.

Environmental stewardship is also very important.

Council thanked Mr. Fisher and Ms. Neville for their presentation.

12. Correspondence

12.1 Requiring Action

12.1.1 Multi-Municipal Wind Turbine Working Group Membership Fee and Terms of Reference Update

Subsequent to further discussion, Council passed the following resolution:

117-09-2023

Moved by: Councillor Hampton

Seconded by: Councillor Penner

Be it Resolved that Council hereby,

1. Approves the revised Terms of Reference for the Multi-Municipal Wind Turbine Working Group; and

2. Approves the annual membership Fee set at \$400.00 for the 2023 Membership Year.

Tabled

12.2 For Information

Subsequent to further discussion, Council passed the following resolution:

118-09-2023

Moved by: Councillor Penner

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 Township of Huron Kinloss - Support for Tile Loan Program Resolution

12.2.2 Municipality of West Grey - Support for Tile Loan Program Resolution

12.2.3 Township of Georgian Bluffs - Support for Tile Loan Program Resolution

12.2.4 AMO Watchfile - March 30, 2023

12.2.5 AMO Watchfile - April 6, 2023

13. Staff Reports

13.1 CAO/Clerks

CAO Sylvia Kirkwood noted that there were over 30 food recyclers sold.

The job postings are closing on Friday for a Building Inspector, Asset Management/GIS, Administrative Assistant and Economic Development Coordinator.

The lift is proposed to be installed in April as well as completing the basement renovations. The front counter will be relocated for a temporary period of time to either the Chesley Fire Hall or the old Town Hall.

13.1.1 SRCLK.2023.03 - Holding Symbol Removal for Lands in Paisley (west side of County Road 3, north of Canrobert Street)

119-09-2023

Moved by: Councillor Penner

Seconded by: Deputy Mayor Shaw

Be It Resolved that Council hereby,

1. Approve a By-law to remove the holding symbol from the lands currently owned by the Municipality of Arran-Elderslie and Hutton Land and Cattle Limited and legally described as Lots 1 and 2, West Side of Victoria Street South and Lots 1 and 2 Subdividing Lot 3, West Side of Victoria Street South, Plan 255, Town Plot of Paisley, now in the Municipality of Arran-Elderslie and Paisley Plan Part Lot 10E, Victoria Street South, Part Lots 1 to 10 West Queen Street South Part Arnaud Street.

Carried

13.2 Finance

None.

13.3 Public Works

13.3.1 SRW.23.07 15 Sideroad, Elderslie Road Construction Project

Works Manager, Scott McLeod, presented his report to Council.

120-09-2023

Moved by: Mayor Hammell

Seconded by: Deputy Mayor Shaw

Be It Resolved that Council hereby,

1. Approves the award of Item 1 – Earthworks to MacDonnell Excavating Ltd in the amount of \$203,691.31, inclusive of HST; and
2. That cost is funded by Project #21-TRAN-0002 ROADS 15 Sideroad Roadway.

Carried

13.3.2 SRW.23.08 Hamilton Street Watermain Replacement Project

Works Manager, Scott McLeod, presented his report to Council.

121-09-2023

Moved by: Councillor Steinacker

Seconded by: Deputy Mayor Shaw

Be It Resolved that Council hereby,

1. Awards the contract for the Hamilton Street Watermain replacement to RF King Holding Ltd., in the amount of \$810,319.20 excluding HST; and
2. That this project be funded through Account No. #22-WSWA-0012-MAINS-WATER-T Hamilton Street Watermain and #22-WSST-001 STORM – Hamilton Street (section from John Street to dead end)

Carried

13.4 Building/Bylaw

None.

13.5 Facilities, Parks and Recreation

None.

13.6 Emergency Services

Fire Chief Steve Tiernan noted that May 4 is the Mutual Aid Meeting.

He will be teaching live fire sessions in April.

13.7 Economic Development and Planning

None.

14. Notice of Motion

None.

15. Members Updates

Shaw:

Deputy Mayor Shaw attended the bridge meeting and thanked everyone for their comments regarding her mother-in-law's passing.

Hampton:

Councillor Hampton will be attending a Friends of the Chesley Hospital meeting, will be giving recognition to Hummingbird Spa and will be attending a doctor recruitment meeting.

Dudgeon:

Councillor Dudgeon - absent

Steinacker:

Councillor Steinacker noted that he received a call regarding cats in Tara. He asked if there could be a cat by-law for urban areas only. He also had questions regarding property standards, and an election at large.

Penner:

Councillor Penner noted that she attended a meeting in Paisley regarding the window replacement in the community centre for the new library, met with business owners on Queen Street regarding bridge construction and lack of parking. She also had questions regarding the emergency response plan and water meters.

Nickason:

Councillor Nickason - absent

Hammell:

Mayor Hammell noted that the Community Guide is now out and available in libraries, grocery stores, etc. He attended the Southbruce Nuclear Exploration Conference in Teeswater, attended the Special Council meeting on April 5th, and will be attending a Bruce County Library Board meeting in Paisley. There is a Chesley Horticultural Society meeting on April 15th.

16. New Business

None.

17. By-laws

None.

17.1 By-Law 26-2023 - Amend the Municipality of Arran-Elderslie Comprehensive Zoning Bylaw 36-09, as amended

122-09-2023

Moved by: Deputy Mayor Shaw

Seconded by: Councillor Hampton

Be It Resolved that By-law No. 26-2023 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 26-2023 being a By-law to amend the Municipality of Arran-Elderslie Comprehensive Zoning By-law No. 36-09, as amended, with respect to lots 1 and 2, west side of Victoria Street South and lots 1 and 2 subdividing lot 3, west side of Victoria Street South, plan 255, Town Plot of Paisley, now in the Municipality of Arran-Elderslie and Paisley Plan part lot 10, E Victoria Street South, part lots 1 to 10 west Queen Street South, Part Arnaud Street.

18. Closed Session (if required)

Council passed the following resolution:

123-09-2023

Moved by: Councillor Penner

Seconded by: Deputy Mayor Shaw

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;
- () 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;
- (X) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; - Property Matter
- () 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 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 and Clerk Christine Fraser-McDonald

Carried

19. Resolution to Reconvene in Open Session

The Mayor noted that only those items on the agenda were discussed and staff updated Council for their information.

Subsequent to further discussion, Council passed the following resolution:

Be It Resolved That Council of the Municipality of Arran-Elderslie does now return to the Open Session at 12:33 p.m.

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

The CAO updated Council on the item for their information.

21. Adoption of Closed Session Minutes

21.1 January 30, 2023 Closed Minutes

Subsequent to further discussion, Council passed the following resolution:

124-09-2023

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 January 30, 2023.

Carried

22. Confirming By-law

125-09-2023

Moved by: Councillor Hampton

Seconded by: Councillor Penner

Be It Resolved that By-law No. 27-2023 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 27-2023 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Tuesday, April 11, 2023.

Carried

23. Adjournment

Subsequent to further discussion, Council passed the following resolution:

126-09-2023

Moved by: Councillor Penner

Seconded by: Deputy Mayor Shaw

Be It Resolved that the meeting be adjourned to the call of the Mayor at 12:38 p.m.

Carried

24. List of Upcoming Council meetings

April 24, 2023

May 8, 2023

May 23, 2023

Steve Hammell, Mayor

Christine Fraser-McDonald, Clerk