

1.0 CALL TO ORDER

Mayor Anne Eadie called to Order the Committee of the Whole (C O W) meeting of the Council of The Corporation of the Municipality of Kincardine at 5:08 p.m. on Monday, May 6, 2019, in the Council Chambers at the Municipal Administration Centre.

2.0 ROLL CALL**Council Present**

Mayor Anne Eadie
Deputy Mayor Marie Wilson
Councillor Dave Cuyler
Councillor Gerry Glover
Councillor Doug Kennedy
Councillor Randy Roppel
Councillor Bill Stewart

Council Absent

Councillor Maureen Couture
Councillor Laura Haight

Staff Present

Sharon Chambers, Chief Administrative Officer
Donna MacDougall, Clerk
Karen Kieffer, Director of Parks & Recreation

3.0 AMENDMENTS, ADDITIONS OR DELETIONS TO/FROM THE AGENDA**4.0 DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

5.0 ADOPTION OF MINUTES OF C O W MEETINGS**Resolution #05/06/19 C O W - 01**

Moved by: Doug Kennedy
Seconded by: Gerry Glover

THAT the minutes of the C O W meeting held on April 15, 2019 be adopted as printed.

Carried.

6.0 ITEMS FOR DISCUSSION FROM COUNCIL MEETING**7.0 DELEGATIONS****7.1 Sarah Patterson, Kincardine Adult Soccer Association (KASA)**

Ms. Patterson provided an update and statistics on KASA, explained aspects of the indoor and the outdoor leagues, outlined the Association's community involvement, identified their future goals, and thanked the Municipality for its support.

8.0 REPORTS**8.1 Other Areas of Responsibility**

Councillor Kennedy assumed the Chair.

(A) REC 2019 - 05

Subject: Ice Resurfacer Tender Results

Recommendation: That Council award the tender for an Ice Resurfacer for the Davidson Centre to Resurface Corp., at a price of \$67,151.42 (including the non-refundable portion of HST).

Date to be considered by Council: May 6th – Matters Arising

Report Summary: It is recommended that Council award the Ice Resurfacer Tender to Resurface Corp., in the amount of \$67,151.42 (including the non-refundable portion of HST), and further that this be a matters arising from tonight’s meeting so that the machine can be ordered and put on the production list and arrive in Kincardine in 2020.

Origin: 2019 Capital Budget

Existing Policy: GG. 2.17 Purchasing and Procurement Policy

Background/Analysis: Included in the 2019 capital budget were funds for an Ice Resurfacer for the Davidson Centre. This was put out to tender with two submissions being received. As part of the tender, we allowed for a trade in allowance on our current 2014 Olympia, that had 5519 hours on it, to be used as a trade in on the new machine.

Tenders were opened on Thursday, April 18, 2019, the results are below and include the non-refundable portion of HST:

Resurface Corp:

Price for New Machine	\$80,990.00
Trade-In Allowance	(\$15,000.00)
Price (Including Non-Refundable portion of HST)	\$67,151.42

Delivery – 12 months from date of order

Zamboni:

Submission One:

Price for New Machine	\$95,485.00
Trade-In Allowance	(\$10,000.00)
Price (Including Non-refundable portion of HST)	\$86,989.54

Delivery – 300 days from date of order

Submission Two:

Price for new Machine	\$84,500.00
Trade-In Allowance	(\$10,000.00)
Price (Including Non-refundable portion of HST)	\$75,811.20

Delivery – 300 days from date of order

The submission that satisfied all of our requirements was the one by Resurface Corp., which is also the lowest tender.

Resurface Corp. has confirmed that in the event there is any kind of failure with our current machine prior to delivery of the new machine that they would either fix it if possible or provide us a loaner machine at no cost. The reason for the 12 months delivery time is that there are approximately 100 machines on order ahead of us.

Financial Implications: The tendered amount falls within the budgeted amount of \$85,000.

Resolution #05/06/19 C O W - 02

Moved by: Randy Roppel
Seconded by: Gerry Glover

THAT C O W recommend Council accept recommendation as set out in report and consider as a Matter Arising from Committee of the Whole at tonight's meeting.

Carried.

(B) REC 2019 - 06

Subject: Washroom Tenders – Dunsmoor Park & Bruce Ave

Recommendation: That Council award the tender for the construction of new washrooms at Dunsmoor Park to Allen-Hastings Limited in the amount of \$260,340.75 (inclusive of the non-refundable portion of HST) and also award the tender of new washrooms at the Bruce Ave Soccer Fields to Allen-Hastings Limited in the amount of \$232,856.39 (inclusive of the non-refundable portion of HST).

Date to be considered by Council: May 6th – Matters Arising

Report Summary: The 2018 capital budget included funds to construct new washroom buildings at Dunsmoor Park and at the Bruce Ave Soccer Fields.

The projects went out for tender and staff is recommending that the tender for both projects be awarded to Allen-Hastings Limited.

It is anticipated that construction will begin on the Dunsmoor Park Washrooms in May and the Bruce Ave Washrooms construction will commence in August.

Origin: 2018 Capital Budget

Existing Policy: GG. 2.17 Purchasing and Procurement Policy

Background/Analysis: Included in the 2018 Capital budget were funds for new washroom buildings at Dunsmoor Park and at the Bruce Ave Soccer Fields. The project went out for tender with three submissions received. The tenders were opened on Thursday, April 25, 2019 with two bids qualifying. The results are as follows (including the non-refundable portion of HST):

Dunsmoor Park:

The budgeted amount was \$275,000.00

Allen-Hastings Limited	\$260,340.75
Ultimate Construction Inc	\$274,144.49
Domm Construction Ltd.	\$195,474.85 (Not Considered)

Bruce Ave Soccer Fields:

The budgeted amount was \$290,000.00

Allen-Hastings Limited	\$232,856.39
Ultimate Construction Inc	\$257,911.74
Domm Construction Ltd.	\$183,245.34 (Not Considered)

Combined Projects:

The total budget amount for both projects is \$565,000.00

Combined Submission by Company:

Allen-Hastings Limited	\$493,197.14
Ultimate Construction Inc	\$532,056.23
Domm Construction Ltd.	\$378,720.19 (Not Considered)

During the initial review of the submissions, staff noted that the submission provided by Domm Construction was incomplete and therefore not compliant. A bid bond was submitted; however, it was not signed by the Principal. Staff sought a legal opinion and were advised that the tender response submitted by Domm Construction Ltd. is invalid and cannot be accepted because it is not a compliant bid. They did not submit an executed bid bond as was required in the tender documents. A bid bond that is not signed renders it to be unenforceable.

BM Ross reviewed the submissions and agree with staff in recommending that the tender for construction of the washroom building at Dunsmoor Park and at the Bruce Ave Soccer Fields be awarded to Allen-Hastings Limited.

The 2019 anticipated start dates for the washrooms are:

Dunsmoor Park – May
Bruce Ave Soccer Fields – August

Financial Implications: The total budget for both washrooms was \$565,000 and the tendered amounts comes to \$493,197.14, so falls within budget.

Attachments: Site plans for the proposed washroom locations at Dunsmoor Park and Bruce Ave

Resolution #05/06/19 C O W - 03

Moved by: Gerry Glover
Seconded by: Dave Cuyler

THAT C O W recommend Council accept recommendation as set out in report and consider as a Matter Arising from Committee of the Whole.

Carried.

(C) REC 2019 - 07

Subject: Kincardine Community Environment Committee

Recommendation: THAT Council approve the Terms of Reference for the Kincardine Community Environment Committee as presented;

AND FURTHER THAT staff be authorized to advertise for volunteers to serve on the Committee.

Date to be considered by Council: May 6 – Matters Arising

Report Summary: There is a need to continue looking after and dealing with environmental issues and initiatives throughout the Municipality of Kincardine. One way to ensure this occurs is through the development of the Kincardine Community Environment Committee.

This Committee would provide guidance, assistance and recommendations to Council, municipal departments and Committees on matters related to the environment.

Staff is recommending that the proposed Terms of Reference be approved, and that Staff be authorized to advertise for Committee members.

Origin: Environmental Working Group Initiative

Existing Policy: None

Background/Analysis: Deputy Mayor Marie Wilson and Councillor Gerry Glover were appointed as Council representatives to the Environmental Action Group.

Staff met with the Council representatives to review both the proposed Terms of Reference as well as current initiatives and projects taking place throughout the Municipality. The proposed Terms of Reference for the Community Environment Committee are attached to this report with a synopsis below:

Purpose:

The purpose of the Kincardine Community Environment Committee is an advisory committee of Council with a mandate to assist municipal Staff with environmental stewardship and the protection, restoration and conservation of the natural environment in the Municipality of Kincardine.

Objectives

Objectives would include among others, liaising with citizens, staff and stakeholders to assist in developing local projects to protect, restore and conserve Kincardine's natural environment and assist with the development of environmental policies and the ongoing implementation, review and monitoring of municipal environmental programs.

Environmental Planning

The Committee will put together an action plan outlining both short and long-term actions for the term that will reflect key goals for the Municipality (as per the Integrated Community Sustainability Plan) in the following areas: natural areas, environmental stewardship, water and waste and smart growth

Reporting Structure

The Kincardine Community Environment Committee is accountable to Council and will report its activities through the Director of Parks & Recreation. Council will have the opportunity to review and approve the action plan.

Committee Composition

The Committee will be appointed by Council for the term of Council, and will consist of the following voting members: (5 in total)

- Two Council representatives (Deputy Mayor Wilson & Councilor Glover)
- Three members of the public (qualified electors) who have interest or background in:
 - Environmental engineering
 - Waste management
 - Environmental education
 - Energy efficiency
 - Horticulture/agricultural
 - Coastal Management
 - Watershed/conservation management

Staff consisting of the C.A.O, Director of Public Works and the Director of Parks & Recreation and/or their designates will be regularly represented on the Committee. Other supporting staff will provide input as required on environmental projects and issues. A Staff Liaison will be appointed to the Committee to provide administrative and procedural assistance.

The Kincardine Community Environment Committee will be guided by and comply with the current Municipality of Kincardine Procedure By-Law.

Financial Implications: Currently there is no budget for this Committee. The various environmental issues and projects are funded through the operating budgets of Parks and Public Works.

Attachments: Kincardine Community Environment Committee Terms of Reference

Resolution #05/06/19 C O W - 04

Moved by: Dave Cuyler

Seconded by: Bill Stewart

THAT C O W recommend Council accept recommendation as set out in report and consider as a Matter Arising at tonight's meeting.

Carried.

Mayor Eadie assumed the Chair.

(D) CAO 2019 – 09

(Added to the Agenda after Public Notice provided)

Subject: Appointment of Elected Representatives to Regional Liaison Committee

Recommendation: THAT Council appoint the CAO and XX as representatives on the Regional Liaison Committee for Nuclear Economic Development and Innovation;

AND FURTHER THAT Jenna Ujiye and XX be appointed as alternates on the committee when representatives are not available.

Date to be considered by Council: May 6, 2019

Report Summary: The Municipality of Kincardine has been requested by Bruce Power and the County of Bruce to appoint two representatives to attend the Regional Liaison Committee for Nuclear Economic Development and Innovation.

A poll of Bruce County municipalities indicates that most have appointed the CAO's and one member of Council.

Designates are permitted to attend meetings on behalf of a representative should they not be available to attend, therefore it is recommended that alternates also be appointed. Staff feels that it is important to have staff representation on the committee, since it is staff's responsibility to carry out the work. Economic Development is within the purview of the CAO's department; therefore, it is recommended that the CAO be appointed to the committee, plus one member of Council. It is recommended that Jenna Ujiye, Community Development Officer, be appointed as a delegate, in the absence of the CAO.

Origin: N/A

Existing Policy: N/A

Background/Analysis: In 2016 Bruce Power and the County of Bruce began coordinating economic development in relation to Bruce Power's investments and innovations. Subsequently, the Nuclear Industry Regional Advisory Committee began, composed of regional representatives including municipal leaders and organizations. This Committee originated as a means to guide and inform this initiative and is responsible for the success of the Nuclear Economic Development & Innovation Initiative. In May 2018, Bruce Power and the County of Bruce extended this partnership to 2021, announcing the launch of Ontario's Nuclear Innovation Institute in Bruce County.

In order to continue the regional collaboration, a new Committee will be formed to replace the Nuclear Industry Regional Advisory Committee; the new committee will be named the Regional Liaison Committee: Nuclear Economic Development and Innovation.

The purpose of the committee is for municipalities and regional organizations to:

- Receive information regarding nuclear economic development and innovation;
- Represent their municipality/organization interests relating to advancing the nuclear agenda;
- Be a liaison between the Committee and their respective agency; and,
- Be involved in developments of the Ontario Nuclear Innovation Institute as the function and operations of the Institute are further developed.

The Municipality of Kincardine has been requested to select two representatives to attend the Regional Liaison Committee. Designates are allowed to attend meetings on behalf of a member should a member not be available to attend. Staff is seeking direction from Council on the recommended candidates for appointment to this Committee. The Mayor and CAO were appointed to the former committee. The Municipality of Kincardine may differ from other Bruce County municipalities in that we have a Policy Chair system, where certain members of council act as a liaison in various policy areas. Since this is an Economic Development initiative, it would also be appropriate to appoint the Deputy Mayor, as Chair of the Economic Development policy area.

Community Plan and Integrated Community Sustainability Plan (ICSP)

Considerations: Economic Diversity, Community Leadership, Smart Growth, Fostering Community Building and Identity, Diversity and Inclusion.

Financial Implications: None.

Attachments: Regional Liaison Committee: Nuclear Economic Development & Innovation Roles & Responsibilities, April 2019

Discussion took place concerning the appointments to the Committee.

Resolution #05/06/19 C O W - 05

Moved by: Gerry Glover

Seconded by: Doug Kennedy

THAT C O W recommend Council appoint Chief Administrative Officer and Deputy Mayor Wilson to the Committee, with Community Development Officer as Staff alternate and Mayor Eadie as alternate for Deputy Mayor, to be considered as a Matter Arising from Committee of the Whole.

Carried.

(E) **CAO 2019 - 10**

FYI Report

(Added to the Agenda after Public Notice provided)

Subject: Ontario Peninsula Farms/Bruce Power Option to Purchase Lot 16 and 17, Concession A, Municipality of Kincardine, County of Bruce

Report: In 2017, Bruce Power entered into an Option to Purchase Agreement with Ontario Peninsula Farms Ltd. for lands located in Kincardine, along Hwy 21 and Gary Street. Through this agreement, Bruce Power purchased approximately 6.5 hectares of land in order to construct the Major Component Replacement training facility and office complex. The balance of the lands, approximately 30.4 hectares, remain under option by Bruce Power.

In 2018, the Municipality issued tenders for the external site servicing for the OPF lands to facilitate the construction of the MCR office complex and the adjacent OPF lands. Council authorized staff to hire Hemson Consulting to conduct an Area Specific Development Charges (ASDC) background study. The ASDC by-law was passed on March 18th, 2019, which enables the Municipality to recover the servicing costs through development charges.

In connection with the planning activities for the MCR office complex site, Bruce Power undertook some of the Planning Act requirements for the balance of the lands, including an archaeological assessment, however there is still a considerable amount of work to be completed to bring the lands to a development ready state. The Municipality has engaged Stantec to complete the required planning work, which is expected to be completed in the fall. The scope of work includes; preparing a conceptual development plan, landowner consultations and authorization, preliminary consultation with county planning staff, creating a reference plan for the proposed road dedication, support of planning act applications (Consent and Zoning By-law Amendment), preparation of a final Area Land Use Plan, and completion of studies in support of the Zoning By-law Amendment. Such studies include an Environmental Impact Study, Traffic Impact Study, Functional Servicing Report, Preliminary Stormwater Management Report, geotechnical and hydrogeological investigation, and archeological clearance. The estimated cost of this work is approximately \$120,000.

In order for the Municipality to advance the development of these lands, Council authorized the CAO in a closed session on April 1st, 2019 to negotiate the transfer of the Option to Purchase Agreement from Bruce Power to the Municipality of Kincardine. An agreement has been reached in principle, and when the final details are confirmed, the agreement will be brought forward for ratification by Council. Under this arrangement, the Municipality would market the lands, and exercise the Option to Purchase for individual lots when a developer is ready to develop the lands. The cost of the Stantec planning work will be recovered through the sale of the lands.

Parallel to these discussions, Bruce Power is currently in negotiations for the sale of Lot 8 on the draft concept plan. This transaction is pending further discussion regarding storm water management requirements, which may alter the configuration of the lots. An announcement will be forthcoming about this development in the near future. The transfer of the Option to Purchase from Bruce Power to the Municipality can't be completed until the details of the Lot 8 transaction are finalized.

Attachments: Stantec Draft Concept Plan

It was noted: OPF has agreed to extend option to end of 2021 and to hold land costs at existing price; concern regarding Municipality developing lands and amount of monies involved; businesses approaching the Municipality regarding serviced lands; competition between OPF lands and 9&21 lands development; potential for new educational facility, etc.

8.2 County Council Update

Mayor Eadie reported on Nuclear Innovation Initiative; SON and Bruce County Memorandum of Understanding on hydrogen energy initiative, Frank Saunders presentation to County Council, Local Planning Appeal Tribunal process changes, Bruce County Public School speaking competitions presentation at County.

9.0 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.

10.0 ADJOURNMENT

Resolution #05/06/19 C O W - 06

Moved by: Doug Kennedy

Seconded by: Bill Stewart

THAT this C O W adjourn at 6:21 p.m.

Carried.

Original Signed By
Mayor – Anne Eadie

Original Signed by
Clerk – Donna MacDougall