



COUNCIL MINUTES April 5, 2023 – 9:30 AM

Council Present: Mayor Horner, Deputy Mayor Hawkins, Councillor Clark, Councillor Cunningham, Councillor Lyon

Staff Present: Tracey Atkinson – CAO/Clerk/Planner, John Willmetts, Director of Public Works, Heather Boston - Treasurer, Roseann Knechtel - Deputy Clerk

1.0 CALL TO ORDER

The Mayor called the meeting to order at 9:22 a.m.

2.0 LAND ACKNOWLEDGEMENT

We begin this meeting by acknowledging that we are meeting upon the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples. We recognize and deeply appreciate their historic connection to this place and we also recognize the contributions Indigenous peoples have made, both in shaping and strengthening our community, province and country as a whole.

3.0 APPROVAL OF THE AGENDA

Moved by Lyon and Seconded by Cunningham

THAT Council approve the agenda.

CARRIED.

4.0 MINUTES OF THE PREVIOUS MEETING

Moved by Cunningham and Seconded by Lyon

THAT the minutes of March 1, 2023 are approved.

CARRIED.

5.0 DISCUSSION ARISING OUT OF THE MINUTES - NONE

6.0 DISCLOSURE OF PECUNIARY INTERESTS – NONE

7.0 PUBLIC QUESTION PERIOD

A question was received regarding noise at Mansfield Ski Club. Staff responded that it is anticipated for discussion at the May 3, 2023 Council meeting.

A question was received regarding operating a business and renting a house on a property. Staff responded offering to meet with the resident to explain permitted uses.

A written question was received regarding incorporating environmental impacts into staff reports. Staff responded that previous Council direction was given to include environmental impacts within budget considerations.

Direction was given to staff to bring back more information on including environmental impacts within staff reports.

A written request was received from Headwaters Communities in action to proclaim April 16 - 22, 2023, as National Volunteer Week.

Mayor Janet Horner Proclaimed April 16 - 22, 2023, as National Volunteer Week.

WHEREAS, 24 million Canadians give their time through formal or informal types of volunteering, contributing close to 5 billion volunteer hours per year; and

WHEREAS, volunteers in Mulmur mentor our children, support those feeling isolated, beautify our green spaces, and fundraise for our charitable organizations; and

WHEREAS, volunteers in Mulmur have stepped up during the COVID-19 pandemic to support families, friends, neighbours, and strangers, people standing up to systemic racism, and people sharing insights on how to create a more just and equitable society; and

WHEREAS, Mulmur's volunteers are individuals, families, workers, retirees, community members of all ages and backgrounds; and

WHEREAS, the collective result of the work done by our city's volunteers is that Mulmur is a more desirable place to live; and

WHEREAS, volunteers serve on Boards, help host community festivals, stock shelves at food banks, deliver meals to seniors, help in schools, plant community gardens; and

WHEREAS, organizations in Mulmur that rely on volunteers are the fundamental backbone of what helps to make our community thrive;

NOW, THEREFORE, I, Janet Horner, Mayor of Mulmur, do hereby proclaim April 16 - 22, 2023, as National Volunteer Week, and urge my fellow citizens to recognize the crucial role played by volunteers in our community.

8.0 DEPUTATIONS AND PRESENTATIONS

8.1 Kathleen Wynne

Council welcomed Kathleen Wynne, who presented on behalf of “Women of Ontario Say No”, with respect to Bill 5 to stop harassment of local leaders.

Moved by Cunningham and Seconded by Clark

WHEREAS Bill 5—Stopping Harassment and Abuse by Local Leaders Act, 2022 was introduced in the Ontario Legislature by MPP Stephen Blais through a Private Member’s Bill on August 10, 2022;

AND WHEREAS the Township of Mulmur and Council are committed to demonstrating good governance and greater accountability to its Code of Conduct and workplace policies;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Mulmur endorses Bill 5—Stopping Harassment and Abuse by Local Leaders Act, 2022 which would require the Code of Conduct for municipal Councillors and members of local boards to include a requirement to comply with workplace violence and harassment policies and permit municipalities to direct the Integrity Commissioner to apply to the court to vacate a member’s seat if the Commissioner’s Inquiry determines that the member has contravened this requirement;

AND THAT the Council of the Corporation of the Township of Mulmur expresses its support for Bill 5 by directing the Clerk to send this motion to the Premier of Ontario; the Ontario Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario (AMO); the local Members of Parliament (MP’s); the local Members of Provincial Parliament (MPP’s); and all Ontario Municipalities.

CARRIED.

8.2 RJ Burnside, Chris Knechtel, P.Eng, Senior Vice President Municipal Services and Structures

Council welcomed Chris Knechtel, who provided an overview of the company, explained the process surrounding bridge inspections and provided an overview of Mulmur’s current infrastructure.

Knechtel recommended placing load restrictions of 15 tonne on 5 structures to address bridge conditions.

A presentation was made on a 100 ft Acrow Panel Bridge that can be split and used in multiple locations, being Bridge 21 and Bridge 12.

Discussion ensued on bridge rehabilitation, County owned structures on Townline roads, preservation of rural character and the Acrow bridge.

Council recessed 11:03 a.m. and returned at 11:14 a.m.

Moved by Hawkins and Seconded by Cunningham

WHEREAS Council's Procurement Policy allows for purchases made under exceptionally advantageous conditions that only arise in the very short term in the case of unusual disposals;

NOWHEREFORE Council approve the purchase and installation of a used prefabricated Acrow Panel (300 Series) bridge from W.G. Kelly Construction in the amount of \$85,000 (plus HST), subject to inspection and confirmation of installation costs satisfactory to the Township Engineers, to be funded from Bridge Reserves;

AND FURTHER THAT Council support the recommendation to place Load Limits of 15 tonne on Bridges 12, 15, 25, 26 and Culvert A.

CARRIED.

9.0 REPORTS FOR DECISION

9.1 Restatement of Mulmur's 2023 Budget per O.Reg 284/09

Moved by Lyon and Seconded by Cunningham

THAT Council receive and approve the report of Heather Boston, Treasurer, Restatement of Mulmur's 2023 Budget per O.Reg. 284/09.

CARRIED.

9.2 2023 User Fees and Charges

Discussion ensued on fees for arrears statements and copies of bills.

Direction was given to amend the user fees and charges to include a fee of \$10 for mailed arrears statements and to remove the fee for statements of accounts.

Moved by Lyon and Seconded by Cunningham

THAT Council receive the report of Heather Boston, Treasurer, Schedule of User Fees and Charges, as amended.

CARRIED.

9.3 Fire Training Resolution

Discussion ensued on the effects of training costs on the 2023 fire board budgets. Direction was given to staff to draft a new motion related to training costs as they stand today and the impacts on municipal fire board budgets.

Moved by Clark and Seconded by Lyon

THAT Council receive the report of Roseann Knechtel, Deputy Clerk, Fire Training Motion;

AND THAT Council direct staff to formulate a new motion for consideration.

CARRIED.

9.4 Strategic Planning

Discussion ensued on grant eligibility and the framework for community conversations and the creation of a new strategic plan.

Moved by Lyon and Seconded by Cunningham

THAT Council receive the report of Tracey Atkinson, CAO/Clerk and Roseann Knechtel, Deputy Clerk, Strategic Planning Initiatives;

AND THAT Council direct staff to move forward with facilitating community conversations as approved within the 2023 Council Budget.

CARRIED.

9.5 Rural Medicine

Discussion ensued on rural medicine and physician recruitment.

Moved by Hawkins and Seconded by Cunningham

THAT Council receive the report of Tracey Atkinson CAO/Clerk/Planner;

AND THAT Council request the County of Dufferin consider an action item within the Dufferin County Strategic Plan to expedite the attraction of physicians in Dufferin County;

AND THAT Council appoint Mayor Janet Horner, to the Physicians Recruitment and Retention Task Force to further relationship building with local physicians.

CARRIED.

9.6 Development Charges Background Report

Discussion ensued Bill 23 legislated changes to apply Development Charges to second dwellings, and zoning provisions surrounding second dwellings.

Direction was given to staff to bring back greater information surrounding second dwelling zoning and size restrictions.

Moved by and Seconded by

THAT Council receive the report of Tracey Atkinson CAO/Clerk/Planner;

AND THAT Council direct staff to undertake an amendment to the Development Charges By-law to remove the exemption for second detached dwellings.

CARRIED.

Council recessed at 12:55 p.m. and returned at 1:37 p.m.

10.0 COMMITTEE MINUTES AND REPORTS

10.1 Dufferin County Council Minutes: February 9, 2023

10.2 Dufferin County Council Minutes: February 23, 2023

10.3 Mansfield Parks Advisory Committee Minutes: February 28, 2023

10.4 Dufferin County Council Minutes: March 9, 2023

10.5 Rosemont District Fire Board Minutes: March 20, 2023

10.6 Joint Council Meeting (Mulmur & Melancthon) March 21, 2023

10.7 Economic Development Committee Minutes: March 22, 2023

10.8 Mansfield Parks Advisory Committee Minutes: March 28, 2023

Moved by Hawkins and Seconded by Cunningham

THAT Council receives the Committee Minutes as copied and circulated.

CARRIED.

10.9 Motions from the Mansfield Parks Advisory Committee

Moved by Cunningham and Seconded by Lyon

THAT Council receive the report of Roseann Knechtel, Deputy Clerk, Mansfield Parks Advisory Committee Motions to Council

AND THAT Council direct staff to consult with the public, residents of Mansfield and the Mansfield Parks Advisory Committee on park development in Mansfield;

AND THAT Council approve the installation of hydro to the Honeywood Baseball Diamond, not to exceed a cost of \$4,000, to be funded through Development Charges;

AND FURTHER THAT Council support the storage and placement of one pickleball set at the Thomson Trail Park.

CARRIED.

11.0 REPORTS FOR INFORMATION

- 11.1 NDCC Financials Report**
- 11.2 2023 1st QTR Building Report**
- 11.3 2023 1st QTR Bylaw Enforcement Report**
- 11.4 Spring Townhall Agenda: April 15, 2023**
- 11.5 Correspondence: The Shepherd's Cupboard Foodbank**
- 11.6 Correspondence: Headwaters Food and Farming Alliance**
- 11.7 Correspondence: Strawberry Supper Report**
- 11.8 County of Dufferin Notice of Public Meeting**
- 11.9 Dufferin Climate Action Plan: 2022 Report Card**
- 11.10 Shelburne Public Library: 2023 Budget**
- 11.11 NVCA: February Board Highlights**
- 11.12 NVCA: March Board Highlights**
- 11.13 Dufferin Board of Trade Press Release**
- 11.14 Niagara Escarpment Plan Amendment PC 225 22 – Agricultural Policies**
- 11.15 Ministry of the Environment, Conservation and Parks: Environmental Assessment Modernization**
- 11.16 Ministry of the Attorney General: Provincial Offences Act Modernization**

Discussion ensued on item 11.1. Direction given to staff to draft a report with operating and depreciated capital numbers for circulation as part of the next Council meeting.

Discussion ensued on 11.5. Direction given to invite Shelburne food bank to give a delegation to Council.

Moved by Lyon and Seconded by Cunningham

THAT the Township of Mulmur appoint Councillor Patricia Clark to the Ontario Climate Caucus;

AND THAT meeting notes are to be provided back to Council.

CARRIED.

Moved by Lyon and Seconded by Clark

THAT Council receives the information items as copied;

AND THAT Council direct staff to send letters of response as discussed for items 11.5, 11.6 and 11.7.

CARRIED.

Moved by Horner and Seconded by Clark

WHEREAS the Niagara Escarpment Commission has initiated a Plan Amendment to the Niagara Escarpment Plan under the Niagara Escarpment Planning and Development Act, R.S.O. 1990 and Regulation 828/90 Development within the Development Control Area and requested comments on or before April 24, 2023

THEREFORE BE IT RESOLVED THAT the Township of Mulmur supports the amendment to allow on-farm diversified uses on prime and non-prime agricultural lands within the Escarpment Control area;

AND FURTHER THAT the Township recommends that the Niagara Escarpment Plan extends the Agricultural Systems Mapping to more clearly designate prime and non-prime agricultural lands within the Niagara Escarpment Plan area.

CARRIED.

12.0 ENDORSEABLE MOTIONS

12.1 Municipality of Calvin: School Board Accommodation Review

12.2 Municipality of Trent Lakes: Oath of Office

12.3 Niagara Region: Declarations of Emergency for Homelessness, Mental Health and Opioid Addiction

12.4 Town of Cobourg: Homeless and Unsheltered Persons

12.5 County of Huron: Call to Action – Review of the Cannabis Act

12.6 Municipality of Chatham-Kent: Support for Bill 5

12.7 Township of Amaranth: Resolution regarding County Planning Services

12.8 Dufferin County Council: Highway 10 Traffic and Road Safety Study

12.9 Township of Lucan Biddulph: Future Accuracy of Permanent Register of Electors

12.10 Town of Essex: Proceeds from Tax Sales

12.11 Municipality of North Perth: School Bus Arm Cameras

12.12 Town of Grimsby: Barriers for Women in Politics

- 12.13 Town of Carleton Place: Intimate Partner Violence and Violence Against Women**
12.14 Association of Ontario Road Supervisors: Enbridge Gas Locate Fees

Moved by Cunningham and Seconded by Lyon

THAT Council endorse the following resolutions: 12.1, 12.5, 12.8, 12.14;

AND THAT Council direct staff to draft letters of endorsement for circulation to applicable agencies.

CARRIED.

Moved by Lyon and Seconded by Clark

WHEREAS, Enbridge recently made an announcement of their intention to begin charging third-party contractors and other utilities \$200 CAD (plus applicable taxes) for utility locates where a field locate is required;

AND WHEREAS, third-party contractors include Ontario municipalities;

AND WHEREAS, these locate requests are only required as Ontario municipalities have allowed utilities to use municipal right of ways at no charge to the utilities;

AND WHEREAS, this announcement of new downloaded costs will negatively impact the budgets of Ontario municipalities which are already burdened;

AND WHEREAS, if Enbridge is successful in implementing this new charge, a precedence is set for other utility companies to also begin charging for locates;

THEREFORE IT BE RESOLVED, that the Corporation of the Township of Mulmur strongly opposes these utility locate costs being downloaded to Ontario municipalities by Enbridge Gas or other utilities;

AND THAT, the Province of Ontario's Ministry of Public and Business Service Delivery make it clear that these costs must be borne by the utilities themselves;

AND FURTHER THAT, this decision be forwarded to Minister of Public and Business Service Delivery Kaleed Rasheed, Minister of Infrastructure Kinga Surma, Minister of Energy Todd Smith, Premier Doug Ford, Sylvia Jones MPP Dufferin-Caledon, the Association of Ontario Road Supervisors and the Association of Municipalities of Ontario.

CARRIED.

13. CLOSED SESSION

- 13.1 Senior of the Year**
- 13.2 CAO Performance Review**
- 13.3 Staffing Update**

Moved by Cunningham and Seconded by Lyon

THAT Council adjourn to closed session at 3:33 p.m. pursuant to Section 239 of the Municipal Act, 2001 as amended for three (3) matters relating to personal matters about an identifiable individual, including municipal or local board employees, 239(2)(b).

CARRIED.

Moved by Cunningham and Seconded by Hawkins

THAT Council do rise out of closed session and into open session at 4:14 p.m. with the following motions/directions:

THAT Council amend the closed session agenda to include item 13.3 Staffing Update;

AND THAT Council do declare Janice Irwin as the 2023 Senior of the Year and direct staff to forward said nomination to the Province.

CARRIED.

14. ITEMS FOR FUTURE MEETINGS

- 14.1 Mansfield Recreation**
- 14.2 Fireworks Survey (May)**
- 14.3 Development Charges Public Meeting (May)**
- 14.4 Clean Water Training (May)**
- 14.5 Mansfield Ski Club Noise (May)**
- 14.6 Primrose Elementary School Graduation: Academic Excellence Award**

Councillor Andrew Cunningham was appointed to present the Academic Excellence Award at Primrose Elementary School on June 26, 2023.

15. PASSING OF BY-LAWS

- 15.1 Traffic Bylaw**
- 15.2 User Fees and Charges**
- 15.3 Confirmatory By-Law**

Moved by Cunningham and Seconded by Hawkins

THAT By-Law 15.1 be approved;

AND THAT By-law 15.2 be approved as amended;

AND FURTHER THAT By-law 15.3 be approved.

CARRIED.

21.0 ADJOURNMENT

Moved by Lyon and Seconded by Clark

THAT Council adjourns the meeting at 4:21 p.m. to meet again on April 15, 2023 for the Spring Townhall Meeting, and May 3, 2023 for the next regular meeting of Council.

CARRIED.

Janet Horner

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Janet Horner, Mayor

Tracey Atkinson

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Tracey Atkinson, CAO/Clerk