



Minutes

Owen Sound City Council

March 11, 2024

City Hall - 808 2nd Avenue East - Council Chambers

5:30 p.m. - Open Session - Council Chambers

No Closed Session

MEMBERS

PRESENT:

Mayor Ian Boddy
Deputy Mayor Scott Greig
Councillor Travis Dodd
Councillor Jon Farmer
Councillor Brock Hamley
Councillor Marion Koepke
Councillor Suneet Kukreja
Councillor Carol Merton
Councillor Melanie Middlebro'

STAFF PRESENT:

Tim Simmonds, City Manager
Kate Allan, Director of Corporate Services
Pam Coulter, Director of Community Services
Lara Widdifield, Director of Public Works and Engineering
Craig Ambrose, Police Chief
Tim Nicholls-Harrison, Owen Sound and North Grey Union Public Library CEO
Aidan Ware, Director and Chief Curator - Art Gallery, Culture, Tourism
Dave Bishop, Owen Sound Police Service Police Inspector
Jeff Fluney, Owen Sound Police Service Police Inspector
Bradey Carbert, Manager of Corporate Services
Briana Bloomfield, City Clerk
Staci Landry, Deputy Clerk

1. CALL TO ORDER

Mayor Boddy called the meeting to order at 5:33 p.m.

2. CALL FOR ADDITIONAL BUSINESS

- 2.a Councillor Farmer Re: International Women's Day and Ramadan
- 2.b Councillor Dodd Re: Savour Owen Sound
- 2.c Councillor Koepke Re: Festival and Events Ontario Awards for the River District
- 2.d Mayor Boddy Re: Mayor's Update

3. DECLARATIONS OF INTEREST

- 3.a Councillor Hamley - Correspondence Items 10.g, 10.h, and 11 contained within Item 11.g - Correspondence Received which is Presented for the Information of Council

Councillor Hamley declared a conflict of interest with discussions arising out of correspondence items 10.g, 10.h, and 11 contained within Item 11.g of the agenda, due to his personal employment with the Government of Ontario.

4. CONFIRMATION OF THE COUNCIL MINUTES

- 4.a Minutes of the Closed Session of the Regular Council meeting held on January 29, 2024
- 4.b Minutes of the Regular Council meeting held on February 26, 2024
R-240311-001
Moved by Councillor Kukreja
Seconded by Councillor Merton

"THAT the minutes of the following meetings be adopted as printed:

- 1. Closed Session of the Regular Council meeting held on January 29, 2024; and**
- 2. Regular Council meeting held on February 26, 2024."**

Carried.

5. MOTION TO MOVE COUNCIL INTO COMMITTEE OF THE WHOLE

R-240311-002
Moved by Councillor Kukreja
Seconded by Councillor Merton

"THAT City Council now move into Committee of the Whole to consider public meetings, deputations and presentations, public question period, matters arising from correspondence, reports of City staff, consent agenda, committee minutes, matters postponed, motions for which notice was previously given and additional business."

Carried.

COMMITTEE OF THE WHOLE

6. PUBLIC MEETINGS

There were no public meetings.

7. DEPUTATIONS AND PRESENTATIONS

- 7.a Presentation from Mayor Boddy Re: Recognition of Garth Pierce's Contribution and Commitment to the Owen Sound Police Services Board

Mayor Boddy presented Garth Pierce with a plaque for his twenty years of service to the Owen Sound Police Services Board, as well as his five years of service to the City's Family Physician Recruitment Ad Hoc Committee, and his two years of service to the City's Council Remuneration Ad Hoc Committee.

Mr. Pierce thanked Council and the Owen Sound Police Services Board for his recognition.

The Police Chief and Police Inspectors left the meeting.

8. PUBLIC QUESTION PERIOD

There were no questions from members of the public.

9. CORRESPONDENCE RECEIVED FOR WHICH DIRECTION OF COUNCIL IS REQUIRED

There were no correspondence items presented for consideration.

10. REPORTS OF CITY STAFF

10.a Report AG-24-003 from the Director and Chief Curator - Art Gallery, Culture, Tourism and Presentation from Gary McCluskie, Diamond Schmitt Re: Art Gallery Expansion Feasibility Study

The Director and Chief Curator - Art Gallery, Culture, Tourism provided a brief overview of the report and introduced Gary McCluskie of Diamond Schmitt.

Mr. McCluskie noted that there are also members of the project team joining the meeting virtually and proceeded to provide a presentation respecting the feasibility study for the expansion of the Tom Thomson Art Gallery, highlighting the following:

- A history of the building;
- The collection which includes 150 years of history and 2,600 objects, totaling \$30 million in value;
- Collection storage space challenges;
- Community and staff space challenges;
- Project objectives which include providing collection storage, flexible programming spaces for community use, professional workspaces to support operations, and shared use spaces for the Library, Art Gallery, and Tourism;
- The process to date which began in September 2023;
- Market analysis, current visitors, and market growth;
- Recommendations to support growth which includes additional space for activities, a community room for children's workshops and education and meeting and event space, and future proof for accessibility;
- Integrated cultural services with the Art Gallery, Library, and Tourism;
- Design option 1 which includes a new construction two-storey addition on the property where the Rice House is currently located;
- Design option 2 which includes a new construction one-storey addition on the property where the Rice House is currently located and the property at 854 1st Avenue West; and
- Class D costing estimates for both options.

Finally, Mr. McCluskie advised that the consultant team recommends Option 2 as the best option for the expansion of the Art Gallery as it provides an efficient layout with massing that is in keeping with the overall building complex and best meets the critical and immediate needs of the gallery.

In response to a question from Council, Mr. McCluskie detailed the costing estimates for each option. Option 1 is an approximate cost of \$15,789,00, and Option 2 is an approximate cost of \$16,082,000.

In response to a question from Council, Mr. McCluskie noted that the advantage of Option 2 is that the mechanical equipment would be located low in the building whereas in Option 1, the mechanical equipment would be located on the roof of the new addition.

In response to questions from Council, Mr. McCluskie advised that the existing Art Gallery facility is approximately 14,000 square feet, both design options are approximately 10,000 square feet, and the existing Library facility is approximately 22,000 square feet. Mr. McCluskie noted that the project team can investigate options for additional parking if requested by Council; however, it is

not a requirement to provide additional parking for a facility expansion as per the City's Zoning By-law.

In response to a question from Council, Mr. McCluskie deferred a response to Megan Mahon of Haley Sharpe Design. Ms. Mahon noted that she completed the majority of the market analysis for the feasibility study and that it involved a high-level analysis of the potential for the design options. For example, there is a potential for seniors' groups from the retirement homes to utilize the community room for meetings and activities.

In response to a question from Council, Mr. McCluskie noted that the goal of a net zero carbon building was one of the project objectives and the level of premium associated with this is approximately 5%.

In response to a question from Council, the Director and Chief Curator - Art Gallery, Culture, Tourism advised that the expansion feasibility study has been funded from private donations and the fundraising feasibility study, if approved, will be funded from private donations as well.

In response to a question from Council, the Director of Community Services noted that a pilot project will be conducted from May to October 2024 to house tourism services in the Art Gallery and this will form part of the business case to analyze the opportunity to reorganize the Library, Tourism and Art Gallery entrance to create a shared reception/customer service location as part of the Service Review Priority Opportunity Action Plan.

R-240311-003
Moved by Councillor Dodd

"THAT in consideration of Staff Report AG-24-003 and a presentation from Diamond Schmitt Architects respecting the Art Gallery Expansion Feasibility Study, City Council directs staff to undertake a Fundraising Feasibility Study as outlined in the report using funds from the Art Gallery Collection reserve account."

Prior to a vote on the motion, Councillor Merton requested a recorded vote:

	In Favour	Opposed
Councillor Dodd	X	
Councillor Farmer	X	
Councillor Hamley	X	
Councillor Koepke	X	
Councillor Kukreja	X	
Councillor Merton	X	
Councillor Middlebro'	X	
Deputy Mayor Greig	X	
Mayor Boddy	X	

The resolution was carried with nine (9) votes in favour and zero (0) votes opposed.

The Owen Sound and North Grey Union Public Library CEO left the meeting.

10.b Report CR-24-021 from the Deputy Clerk Re: Appointment of a Council Member to the Municipal Accommodation Tax (MAT) Stakeholder Committee

The Deputy Clerk provided an overview of the report.

Mayor Boddy opened the floor for nominations for the vacancy on the Municipal Accommodation Tax (MAT) Stakeholder Committee.

Councillor Koepke nominated Councillor Middlebro' to the MAT Stakeholder Committee. Councillor Middlebro' accepted the nomination. Mayor Boddy asked for any further nominations.

Councillor Dodd nominated Deputy Mayor Greig to the MAT Stakeholder Committee. Deputy Mayor Greig accepted the nomination.

Mayor Boddy asked for any further nominations. There being no further nominations, Mayor Boddy declared nominations closed.

Mayor Boddy asked for a show of hands in favour of Councillor Middlebro'. Councillor Middlebro' received a majority vote of Council and was declared member-elect to the MAT Stakeholder Committee.

R-240311-004

Moved by Councillor Koepke

"THAT in consideration of Staff Report CR-24-021 respecting the Appointment of a Council Member to the Municipal Accommodation Tax (MAT) Stakeholder Committee, City Council directs staff to bring forward a by-law to amend the Board and Committee By-law to:

- 1. Include the MAT Stakeholder Committee as a Community Organization, specifying that one (1) Council member shall be appointed; and**
- 2. Appoint Councillor Middlebro' to the MAT Stakeholder Committee with a term expiry of January 31, 2025."**

Carried.

11. CONSENT AGENDA

- 11.a Report CR-24-024 from the Manager of Corporate Services Re: Award of RFT-24-001 Alpha Street Reconstruction - 6th Avenue West to 9th Avenue West
- 11.b Report CR-24-026 from the Manager of Corporate Services Re: Award of RFT-24-002 - Downtown River Precinct, 1st Avenue East, 900 Block, Phase 2
- 11.c Report CR-24-028 from the Director of Corporate Services Re: 2024 Non-Union and Council COLA Increase Approval
- 11.d Report OP-24-015 from the Director of Public Works and Engineering Re: Access Agreement with South Bruce Peninsula ATV Club
- 11.e Minutes of Boards and Committees for Receipt Re: Owen Sound Police Services Board meeting held on January 31, 2024
- 11.f Final approvals issued for the following Business Licences:
 - Jeff Bell is the new owner of Country Clean, a laundromat located at 1620 8th Avenue East
 - MDJ & E Distribution Inc., a mobile food business
 - Riley Townsend, RMT, a home occupation located at 345 8th Avenue 'A' East
 - Clarks Footcare, a home occupation located at 441 12th Street West
 - Hidden Gem Cleaning, a home occupation located at 1190 6th Avenue West
 - Annual Hawker and Peddler Licence issued to Michelle Boyce to operate Beyond Snapshots Action Photography, a photography business

- Annual Hawker and Peddler Licence issued to James Enterprises Inc. to operate Town Tees, a custom apparel business

11.g Correspondence received which is presented for the information of Council

R-240311-005

Moved by Councillor Kukreja

"THAT in consideration of the items listed on the March 11, 2024 Consent Agenda, City Council:

- 1. Receives Items 11.c, 11.e, 11.f, and 11.g; and**
- 2. Approves the recommendation contained in Item 11.c."**

Carried.

R-240311-006

Moved by Councillor Merton

"THAT in consideration of Staff Report CR-24-024 respecting Award of Tender RFT-24-001 – Alpha Street Reconstruction – 6th Avenue West to 9th Avenue West, City Council:

- 1. Awards the above noted Tender to Moorefield Excavating, the lowest compliant bid received for \$5,258,819.42, including the non-refundable allocation of HST; and**
- 2. Directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute the agreement."**

Carried.

R-240311-007

Moved by Councillor Koepke

"THAT in consideration of Staff Report CR-24-026 respecting Award of Tender RFT-24-002 – Downtown River Precinct, 1st Avenue East, 900 Block, Phase 2, City Council:

- 1. Awards the above noted Tender to MacDonnell Excavating Ltd., the lowest compliant bid received for \$1,730,968.13, including the non-refundable allocation of HST; and**
- 2. Directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute the agreement."**

Carried.

Councillor Dodd left the Council Chambers.

In response to a question from Council, the Director of Public Works and Engineering advised that the South Bruce Peninsula ATV Club assumes stewardship of the unopened road allowances or unmaintained City properties that they utilize and undertake small maintenance repairs with their volunteers.

R-240311-008

Moved by Councillor Farmer

"THAT in consideration of Staff Report OP-24-015 respecting an access agreement with the South Bruce Peninsula ATV Club, City Council directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute the agreement as outlined in the report."

Carried.

Councillor Dodd returned to his chair.

Councillor Hamley declared a conflict of interest at this time with discussions arising out of items on the correspondence package due to his employment with the Government of Ontario and left the Council Chambers.

Councillor Farmer presented a motion respecting the support of Prince Edward County's resolution to establish a Guaranteed Livable Income program which he subsequently withdrew in favour of providing further information at a future Council meeting when minutes of the Bruce Grey Poverty Task Force meeting are listed on the agenda for receipt.

R-240311-009d

Moved by Councillor Farmer

"THAT in consideration of correspondence received on the March 11, 2024 Consent Agenda respecting amendments to the *Residential Tenancies Act*, City Council:

- 1. Supports the resolutions passed by the Town of Alymer and the Municipality of St. Charles to call on the Province of Ontario to enact rent protections for all units; and**
- 2. Directs staff to send this resolution to The Honourable Doug Ford, Premier of Ontario, Alex Ruff, MP for Bruce-Grey-Owen Sound, Rick Byers, MPP for Bruce-Grey-Owen Sound, Association of Municipalities of Ontario (AMO), Town of Alymer, and the Municipality of St. Charles."**

Defeated.

R-240311-010

Moved by Councillor Farmer

"THAT in consideration of correspondence received on the March 11, 2024 Consent Agenda respecting an urgent need for increased funding to Libraries and Museums in Ontario, City Council:

- 1. Supports the resolution passed by the Town of Lincoln; and**
- 2. Directs staff to send this resolution to The Honourable Doug Ford, Premier of Ontario, Alex Ruff, MP for Bruce-Grey-Owen Sound, Rick Byers, MPP for Bruce-Grey-Owen Sound, Association of Municipalities of Ontario (AMO), and the Town of Lincoln."**

Carried.

Councillor Hamley returned to his chair.

12. COMMITTEE MINUTES WITH RECOMMENDATIONS FOR APPROVAL

- 12.a Minutes of the Service Review Implementation Ad Hoc Committee meeting held on February 28, 2024

R-240311-011

Moved by Councillor Koepke

"THAT the minutes of the Service Review Implementation Ad Hoc Committee meeting held on February 28, 2024 be received and the recommendations contained therein be approved."

Carried.

- 12.b Minutes of the Tom Thomson Art Gallery Advisory Committee meeting held on February 23, 2024

R-240311-012

Moved by Councillor Hamley

"THAT the minutes of the Tom Thomson Art Gallery Advisory Committee meeting held on February 23, 2024 be received and the recommendations contained therein be approved."

Carried.

13. MATTERS POSTPONED

There were no postponed matters.

14. MOTIONS FOR WHICH NOTICE WAS PREVIOUSLY GIVEN

There were no motions for which notice was previously given.

15. DISCUSSION OF ADDITIONAL BUSINESS

15.a International Women's Day and Ramadan

Councillor Farmer advised that Friday, March 8 was International Women's Day, a global day to recognize and celebrate women's and girls' social, economic, cultural, and political achievements, as well as raise awareness of the progress made towards achieving gender equality and the work remaining to be done. Councillor Farmer recognized the visible and invisible contributions women make in our community and in the Corporation of the City of Owen Sound.

Councillor Farmer noted that Ramadan began this week, and it is a month of fasting, family, study, and prayer for those of the Islamic faith. Councillor Farmer wished those in our community who are observing the month 'Ramadan Kareem'.

15.b Savour Owen Sound

Councillor Dodd advised that Savour Owen Sound is taking place from March 1 - 31 and there are 11 participating restaurants. More information on this event can be found on the Owen Sound Tourism website at www.owensoundtourism.ca.

15.c Festival and Events Ontario Awards for the River District

Councillor Koepke requested that the Director of Community Services highlight the awards that the River District recently received. The Director of Community Services advised that the River District won two Festival and Events Ontario Awards: The Innovation Award for the Wheel & Ride event, and a Top 100 Award for Holiday Magic.

15.d Mayor's Update

Mayor Boddy noted that he attended the Canadian Nuclear Association (CNA) Conference in Ottawa at the end of February where Bruce Power received funding in the amount of \$50 million for a feasibility study for the Bruce C project. There was also a large amount of discussion at this conference around the importance of isotopes.

16. MOTION THAT COMMITTEE OF THE WHOLE RISE AND REPORT

R-240311-013

Moved by Councillor Kukreja

"THAT the Committee of the Whole rise and report."

Carried.

FORMAL SESSION

17. MOTION TO ADOPT PROCEEDINGS IN COMMITTEE OF THE WHOLE

R-240311-014

Moved by Councillor Kukreja

Seconded by Councillor Merton

"THAT the action taken in Committee of the Whole in considering public meetings, deputations and presentations, public question period, matters arising from correspondence, reports of City staff, consent agenda, committee minutes, matters postponed, motions for which notice was previously given and additional business be confirmed by this Council."

Carried.

18. NOTICES OF MOTION

There were no notices of motion.

19. MOTION TO MOVE INTO CLOSED SESSION

There was no Closed Session.

20. REPORTING OUT OF CLOSED SESSION

There was no Closed Session.

21. BY-LAWS

21.a By-law No. 2024-025

"A By-law to confirm the proceedings of the Regular Meeting of the Council of The Corporation of the City of Owen Sound held on the 11th day of March, 2024"

21.b By-law No. 2024-026

"A By-law to prohibit and regulate public nuisances"

21.c By-law No. 2024-027

"A By-law to prohibit and regulate noise within the City"

21.d By-law No. 2024-028

"A By-law to amend Appointed Officers By-law No. 2015-054 to appoint a By-law Enforcement Officer to enforce the City's Short-Term Rental Licensing By-law"

21.e By-law No. 2024-029

"A By-law to amend Fireworks By-law No. 2022-050 to prohibit fireworks at short-term rentals"

21.f By-law No. 2024-030

"A By-law to amend Preservation of Order on Streets By-law No. 1989-138 to repeal various sections"

21.g By-law No. 2024-031

"A By-law to amend Delegation of Powers and Duties By-law No. 2014-109 to update the delegation of powers and duties respecting permits under the City's Noise By-law and Nuisance By-law"

21.h By-law No. 2024-032

"A By-law to amend Fees and Charges By-law No. 2023-080 to add permit fees for Nuisance By-law and Noise By-law exemptions, add administration fees for campground and cabin booking changes and amend cancellation fees for campground and cabin bookings"

21.i By-law No. 2024-033

"A By-law to authorize the Mayor and Clerk to execute an agreement with Moorefield Excavating Ltd., respecting Alpha Street reconstruction, in accordance with RFT-24-001"

21.j By-law No. 2024-034

"A By-law to authorize the Mayor and Clerk to execute an agreement with MacDonnell Excavating Ltd., respecting Downtown River Precinct, 1st Avenue East, 900 Block, Phase 2, in accordance with RFT-24-002"

21.k By-law No. 2024-035

"A By-law to authorize the Mayor and Clerk to execute a second amending agreement with Miller Waste Systems Inc., respecting waste collection and disposal"

21.l By-law No. 2024-036

"A By-law to authorize the Mayor and Clerk to execute a Financial Accountability Agreement with the Owen Sound & District Chamber of Commerce respecting the allocation of municipal accommodation taxes (MAT)"

21.m By-law No. 2024-037

"A By-law to adopt Campground and Cabin Booking Refund Policy FPR002"

21.n By-law No. 2024-038

"A By-law to authorize the Mayor and Clerk to execute an agreement with the South Bruce Peninsula ATV Club respecting access to City lands"

21.o By-law No. 2024-039

"A By-law to adopt estimates for the sums required during the year 2024 for the general and capital purposes of The Corporation of the City of Owen Sound"

21.p By-law No. 2024-040

"A By-law to authorize the Mayor and Clerk to execute an agreement with Hayden Hellyer for use of the Harry Lumley Bayshore Community Centre (Dirt Road Revival Country Music Event)"

21.q By-law No. 2024-041

"A By-law to authorize the Mayor and Clerk to execute an agreement with Brightshores Health System Owen Sound Foundation for the use of 2nd Avenue East (Ball Hockey "Cellybration")"

R-240311-015

Moved by Councillor Kukreja

Seconded by Councillor Merton

"THAT By-law Numbers 2024-025, 2024-026, 2024-027, 2024-028, 2024-029, 2024-030, 2024-031, 2024-032, 2024-033, 2024-034, 2024-035, 2024-036, 2024-037, 2024-038, 2024-039, 2024-040, and 2024-041 be passed and enacted."

Carried.

22. ADJOURNMENT

The business contained on the agenda having been completed, Mayor Boddy adjourned the meeting at 7:43 p.m.

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk