



Calvin

December 9, 2022 - Special Meeting of Council – 3:30 PM Open Session council chambers

- 1 Call to Order: 3:30 pm**
- 2 Disclosure of Pecuniary Interest**

List: Dean Grant Agenda Item 7 by-Law 2022-071 (Fire Department).

William Moreton Item 7 by-Law 2022-071 (Fire Department)

- 3. Closed Session.**

Moved By: Councillor Latimer

Seconded By: Councillor Moreton

Results: Carried

1. Resolution to move into closed session Resolution 350

MAYOR _____ CLERK _____

NOW THEREFORE BE IT RESOLVED THAT:

2. This special closed portion is called under the Municipal Act, 2001, ch. 25 as per Section 239 (2) (b) personal matters about an identifiable individual, including a municipal or local board employee and (2) (d) labour relations or employee negotiations RE: to discuss employment contract for Municipal Administrator, Municipal Clerk, Integrity Commissioner, E4m and affiliates, and legal representation.

3. Moving out of Closed Session (Resolution) and report on the Nature of Discussion (above)

4. NOW THEREFORE BE IT RESOLVED THAT: Resolution 351

“COUNCIL FOR THE Corporation of the Municipality of Calvin hereby move back into open session at ___ 4:10_____ P.M

Moved By: Councillor Latimer

Seconded By: Councillor Adams

Results: Carried

5. Business arising from Closed Session.

5.1 BY-LAW NUMBER 2022-068 BEING A BY-LAW TO APPOINT A NEW MUNICIPAL CLERK PRO TEMPORE AND TO TERMINATE POSITION OF EXISTING CLERK PRO TEMPORE.

Legal Authority Scope of Powers.

Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, (“Municipal Act”) as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

Powers of a Natural Person

Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council

Section 5(1) of the Municipal Act provides that the powers of a municipality shall be exercised by its Council

Powers Exercised by By-law

Section 5(3) of the Municipal Act provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

Municipal Administration

Section 227 of the Municipal Act provides it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.

Municipal Clerk

Section 228 of the Municipal Act, 2001, S.O. 2001, c.25, as amended ("Municipal Act") provides that Council shall appoint a clerk whose duty is,

- a) To record, without note or comment, all resolutions, decisions and other proceedings of the council;
- b) If required by any member present at a vote, to record the name and vote of every member voting on any matter in question;
- c) To keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- d) To perform the other duties required under this Act or a under any other Act; and
- e) To perform such other duties are as assigned by the municipality.

Preamble

In 2022 Council for the Corporation of the Municipality of Calvin appointed Peggy Young Lovelace as Municipal Clerk Pro Tempore for a temporary period. Ms. Young Lovelace expressed the wish to leave this position as soon as possible. The council is now withdrawing that temporary position.

The Municipal Act requires municipalities to appoint a Clerk.

The Council of the Corporation of the Municipality decides it in the best interest of the

Corporation to appoint a Municipal Clerk Pro Tempore.

Direction

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin

directs as follows:

1. That Teresa Scroope is hereby appointed as the Municipal Clerk Pro Tempore for the Corporation of the Municipality of Calvin.
2. That the powers and duties of the Clerk shall be those powers and duties as set forth in the Municipal Act and every other Act.
3. The bylaw 2022-058 appointing Peggy Young Lovelace as Clerk-Pro Tempore is hereby repealed.
4. This by-law takes effect on the day of its passing as bylaw 2022-068
5. Read and adopted by Resolution 2022-352 this 9th Day of December 2022.

Moved By Councillor Moreton

Seconded By Councillor Grant

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results Carried

MAYOR _____ CLERK _____

5.2 Reporting of members of staff to Council.

NOW THEREFORE BE IT RESOLVED THAT:

“Council for the Corporation of the Municipality of Calvin hereby establishes that the Clerk and Municipal Administrator, shall each report directly to Council. The staff of the municipal office, with the exception of the Municipal Administrator) will report to the Clerk Pro Tempore, and the remainder of the staff, (Roads, Public Works, Landfill, Cemetery) will report to their immediate superiors and then to the Municipal Administrator. Furthermore, an additional policy will be studied in consultation with staff to create an organization chart for responsibilities and reporting of all staff and the Council enacts a moratorium on hiring until the Ad Hoc Committee reports to Council and that this act takes effect Dec 9 2022.

This resolution shall be reviewed amended as necessary by March 31, 2023.

Read and adopted by Resolution 2022-353 this 9th Day of December 2022

Moved By Councillor Latimer

Seconded By Councillor Moreton

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results Carried

MAYOR _____ CLERK _____

5.3 Signing authority.

NOW THEREFORE BE IT RESOLVED THAT:

All expenditures issued by E4m or affiliates to the town of Calvin are to be reviewed and approved by Council.

Read and adopted by Resolution 2022-354 this 9th Day of December 2022

Moved By Councillor Moreton

Seconded By Councillor Adams

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results Carried

MAYOR _____ CLERK _____

5.4 Legal Council. BY-LAW NUMBER 2022-069

NOW THEREFORE BE IT RESOLVED THAT: Council of the Corporation of the Municipality of Calvin deems it necessary and expedient to pass a bylaw to appoint Legal Council.

Council of the Corporation of the Municipality of Calvin therefore enacts as follows:

- A. That Wishart Law is not the legal counsel and that Thomas Davis of/and Valin Partners LLP is hereby appointed as the Municipality's Lawyers of record.
- B. That this bylaw supersedes any bylaw previously passed that is contrary to this bylaw.
- C. This by-law takes effect on the day of its final passing.

Read and adopted as bylaw 2022-069 this 9th day of December 2022.

Read and adopted by Resolution 2022-355 this 9th Day of December 2022.

Moved By _Councillor Grant_____

Seconded By _Councillor Adams_____

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results __Carried_____

MAYOR _____ CLERK _____

6. Discontinuation of Acceptance of Copyrighted Bylaws. BY-LAW NUMBER 2022-070

Whereas the Municipality of Calvin has in the last few years adopted and approved a number of Copyrighted Bylaws and policies;

And Whereas copyright by-laws are not owned in entirety by the municipality of Calvin and this could inhibit future uses and changes of these documents;

And Whereas it is not in the long-term best interest of the Municipality of Calvin to adopt any further By-laws and policies that it doesn't maintain full legal authority over;

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin hereby wants to make it known to public and staff that we longer support adopting any Copyright Bylaws.

Bylaw Number 2022-070

Read and adopted by Resolution 2022-356 this 9th Day of December 2022.

Moved By _Councillor Moreton_____

Seconded By _Councillor Latimer_____

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results _Carried_____

MAYOR _____ CLERK _____

7. BY-LAW NUMBER 2022-071 Repeal of bylaw 2022 - 051

Whereas the Municipality of Calvin has decided to work on the strength and development of the Fire Department.

And whereas bylaw 2022 -51 contains certain paragraphs that council agrees need to be amended.

And whereas the bylaw is copyrighted by an outside entity and cannot be modified or amended without risk to the township, the municipality of Calvin

And whereas this copyright by-law is not owned by the municipality of Calvin.

And whereas it is not in best interest of the Municipality of Calvin to make modifications to this bylaw

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin hereby repeals the Bylaw number 2022-051 being a Bylaw to Codify Human Resources Management Policies For the Municipality of Calvin Fire Department by Bylaw Number 2022-071

Read and adopted by Resolution 2022-357 this 9th Day of December 2022.

Moved By __Councillor Adams_____

Seconded By _Councillor Latimer_____

Recorded Vote:

Member of Council	In Favour	Opposed
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Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results _Carried_____

MAYOR _____ CLERK _____

8. BY-LAW NUMBER 2022-072 Repeal of bylaw 2022-065 being a Bylaw to Adopt a Workplace Violence and Harassment Policy and Program the Municipality of Calvin.

Whereas bylaw 2022-65 directs complaints and requests be sent to Wishart Law LLP.

And whereas Wishart Law is no longer the legal council for the township,

And whereas this bylaw is copyrighted by Wishart Law LLP and cannot be modified or amended without risk to the township, the municipality of Calvin

It is therefore advisable to repeal bylaw 2022-065.

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin hereby repeals the Bylaw number 2022-065 being a Bylaw to Adopt a Workplace Violence and Harassment Policy and Program the Municipality of Calvin

by Bylaw Number 2022-072

Read and adopted by Resolution 2022-358 this 9th Day of December 2022.

Moved By __Councillor Grant_____

Seconded By _Councillor Moreton_____

Recorded Vote:

Member of Council In Favour Opposed

Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results _Carried_____

MAYOR _____ CLERK _____

9. BY-LAW NUMBER 2022-073 Termination of Integrity Commissioner Services.

Whereas E4m has announced its resignation as Integrity Commissioner effective December 31.

Whereas The Municipality is in discussion to use the Integrity Commissioner of a neighbouring township.

NOW THEREFORE BE IT RESOLVED THAT: Council of the Corporation of the Municipality of Calvin deems it necessary and expedient to repeal bylaw 2019-007 to immediately terminate the contract with E4m, the present Integrity Commissioner.

That this bylaw supersedes any bylaw previously passed that is contrary to this bylaw.

This by-law takes effect on the day of its final passing.

Bylaw 2022-073 this 9th day of December 2022.

Read and adopted by Resolution 2022-358 this 9th Day of December 2022.

Moved By _Councillor Moreton_____

Seconded By _Councillor Latimer_____

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results _Carried_____

MAYOR _____ CLERK _____

10. Bylaw Number 2022-074, to terminate all contracts with E4m and affiliates.

Whereas the Municipality of Calvin has had various contracts with companies affiliated with E4m, it is the Councils wish to terminate these various relationships.

And whereas council appreciates all the work and effort supplied by E4m.

And whereas Council wishes to move in a different direction than that of E4m

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin hereby terminates all contracts and commercial relationships with E4M and affiliates, which includes but is not limited to, Giacomo Pastore, Summit PCG, My Momentum Strategies, Wishart Municipal Law Group, Investigative Solutions Network, EmcompassIT, The Managed Municipality, and Cassels Brock. And that the clerk be authorized to manage the closing of the accounts and that all closing documents be received by Dec 31 2022.

Read and adopted by Resolution 2022-358 this 9th Day of December 2022.

Moved By __Councillor Adams_____

Seconded By _Councillor Latimer_____

Recorded Vote:

Member of Council	In Favour	Opposed
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Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results _Carried_____

MAYOR _____ CLERK _____

11 a). BY-LAW NUMBER 2022-075 Repeal of bylaw 2019 -001

Whereas the Municipality of Calvin has a bylaw called the Code of Conduct Bylaw, issued and copyrighted by Wishart Law and since Wishart Law is no longer the legal council for the township, and E4m is no longer the Integrity Commissioner it is in the best interest of the township to repeal this bylaw.

And whereas this bylaw is copyrighted by Wishart Law LLP and cannot be modified or amended without risk to the township, it is therefore necessary to repeal bylaw 2019 – 001.

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin hereby repeals the Bylaw number 2019 -001, including Schedule “A” Code of Conduct, “B” Council Staff Relations Policy and “C” Integrity Commissioner Inquiry Protocol

by Bylaw Number 2022-075

Read and adopted by Resolution 2022-359 this 9th Day of December 2022.

Moved By __Councillor Grant_____

Seconded By __Councillor Moreton_____

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results __ Carried _____

MAYOR _____ CLERK _____

11 b). Motion to Begin the process of making arrangement for the responsibilities of the Integrity Commissioner to be assigned to the Integrity Commissioner of another Municipality.

Whereas the Integrity Commissioner ad hoc group has already made progress in the establishment of a new Integrity Commissioner and has done some work on a new Code of Conduct, it is time to move forward in this direction.

Now Therefore Be It Resolved that Council for the Corporation of the Municipality of Calvin herby proposes to move forward with a temporary assignment of an Integrity Commission and present this for approval at the next regular meeting.

All Inquiries to be directed to the clerk.

Read and adopted by Resolution 2022-360 this 9th Day of December 2022.

Moved By Councillor Adams _____

Seconded By Councillor Latimer _____

Recorded Vote:

Member of Council	In Favour	Opposed
Councillor Adams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Gould	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Results _Carried_____

MAYOR _____ CLERK _____

Confirmatory By-law

THE CORPORATION OF THE MUNICIPALITY

OF CALVIN

BYLAW NUMBER 2022-076

BEING A BYLAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

Legal Authority

Scope of Powers

Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, (“Municipal Act”) as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues.

Powers of a Natural Person

Section 9 of the Municipal Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.

Powers Exercised by Council

Section 5 (1) of the Municipal Act provides that the powers of a municipality shall be exercised by its Council

Powers Exercised by By-law

Section 5(3) of the Municipal Act provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise.

Preamble

Council for the Corporation of the Municipality of Calvin ("Council") acknowledges that many of the decisions it makes during a meeting of Council, regular, special, or otherwise, are done by resolution. Section 5 (3) requires that Council exercise their powers by Bylaw.

Council further acknowledges that the passing of resolutions is more expedient than adopting Bylaws for each decision.

Decision

Council of the Corporation of the Municipality of Calvin decides it in the best interest of the Corporation to confirm its decisions by way of Confirmatory Bylaw.

Bylaw 2022-067 | Page - 4 6 Confirmatory Bylaw

Direction

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin directs as follows:

1. The Confirmatory Period of this By-Law shall be for the Special Council Meeting of December 9, 2022.
2. All By-Laws passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.
3. All resolutions passed by the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified and confirmed.
4. All other proceedings, decisions, and directives of the Council of the Corporation of the Municipality of Calvin during the period mentioned in Section 1 are hereby ratified

and confirmed.

5. This Bylaw takes effect on the day of its final passing.
6. Read and adopted by Resolution 2022-361 this 9th Day of December 2022.

Moved By _Councillor Grant_____

Seconded By _Councillor Moreton_____

Results __Carried_____

MAYOR _____ CLERK _____

Adjournment.

NOW THEREFORE BE IT RESOLVED THAT:

**“The special council meeting of December 9, 2022, be adjourned at
_4:53_____P.M.”**

Moved By _Councillor Moreton_____

Seconded By _Councillor Latimer_____

Results _Carried_____

Mayor _____ Clerk _____