



The Corporation of the Municipality of Brooke-Alvinston

MINUTES – November 28, 2019  
Regular Session

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The Council of the Municipality of Brooke-Alvinston met in regular session on Thursday, November 28, 2019 at 7:00 p.m. in the Municipal Council Chambers.

Present: Mayor David Ferguson, Councillors Frank Nemcek, Jamie Armstrong, Jeannette Douglas and Wayne Deans

Staff Present: Clerk Administrator Janet Denkers  
Treasurer Stephen Ikert  
Public Works Manager Randy Hills  
Fire Chief Jeff McArthur  
Administrative Assistant Darlene Paolucci

**1. CALL TO ORDER**

Mayor Ferguson called the meeting to order at 7:00 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST**

Mayor Ferguson requested that any pecuniary interest(s) be declared when applicable.

Mayor Ferguson noted a Conflict of Interest in item 5-ia – consent notice as he is the applicant.

**3. MINUTES**

i) Regular Meeting Minutes of November 14, 2019

Motion # 2019-371

Moved by Councillor Douglas / Seconded by Councillor Deans

Be it resolved that the special Council meeting minutes of November 14, 2019 be approved as presented.

Carried

ii) Special Meeting Minutes of November 25, 2019

The Mayor noted the special session meetings from Nov. 25<sup>th</sup> on the desk and asked the Clerk Administrator to rise and report in open session from those minutes.

The Clerk Administrator was asked to rise and report. She reported that:

- That the Municipality of Brooke-Alvinston request exclusively ,the new bay for one year from the IFA while the municipality explores building a new hall attached to the library with the understanding that fire apparatus will be moved from the Inwood area should this offer not be accepted;
- That a response be provided no later than November 28, 2019 at 4 p.m.;
- That the offer to lease the new bay exclusively 24/7 be for the year 2020 be \$20,063.00;
- That the Municipal lawyer draw up the agreement for the exclusive 1 bay lease and forward to the IFA and their lawyer;
- That should the IFA wish to consider the sale of the IFA hall, they contact the municipal Administrator no later than February 28, 2020.

Motion # 2019-372

Moved by Councillor Nemcek / Seconded by Councillor Douglas

Be it resolved that the special Council meeting minutes of November 25, 2019 be approved as presented.

Carried

It was noted a negative response was received.

4. **BUSINESS ARISING FROM MINUTES**

Mayor Ferguson spoke on future and potential amalgamations and the effect it could have on a small municipality. He noted that consideration is still open with the IFA should they wish to discuss the sale of their hall to the Municipality.

Councillor Armstrong questioned if the IFA lease agreement would be discussed in new business as outlined in the agenda. He was advised by the Mayor discussion would continue in new business.

Councillor Douglas requested to make a public statement that at no time was there ever Council discussion on the closure of the Inwood Fire Station. She requested that the Inwood Firemen's Association meet with the lease committee in person rather than social media.

5. **DELEGATIONS & TIMED EVENTS**

Council agreed to hold the Drainage Superintendent's report and tender results to this part of the meeting while the Drainage Superintendent was in attendance.

A drain tender results were:

i) Watt Cran Drain

GJS Contracting	\$9,514.60
Bruce Poland & Sons Trucking	\$6,729.15
J & L Henderson	\$6,977.75
McNally Excavating	\$7,604.90

Motion # 2019-371

Moved by Councillor Douglas / Seconded by Councillor Armstrong

Be it resolved that the low tender submitted by Bruce Poland & Sons Trucking in the amount of \$6,729.15 (including HST) be accepted.

Carried

ii) McVicar Drain

GJS Contracting	\$8,192.50
Bruce Poland & Sons Trucking	\$4,096.25
J & L Henderson	\$6,587.90
McNally Excavating	\$2,613.00
Van Bree Drainage	\$14,125.00

Motion # 2019-372

Moved by Councillor Nemcek / Seconded by Councillor Deans

Be it resolved that the low tender submitted by McNally Excavating in the amount of \$2,613.00 (including HST) be accepted.

Carried

iii) Campbell Leitch Drain

GJS Contracting	\$25,822.76
Bruce Poland & Sons Trucking	\$22,445.25
J & L Henderson	\$17,747.89
McNally Excavating	\$19,715.65

Motion # 2019-373

Moved by Councillor Deans / Seconded by Councillor Douglas

Be it resolved that the low tender submitted by J & L Henderson in the amount of \$17,747.89 (including HST) be accepted.

Carried

iv) Kelly Drain

A & G Hayter Contracting	\$133,675.61
Van Bree Drainage	\$143,340.50
McNally Excavating	\$115,708.55

Motion # 2019-373

Moved by Councillor Nemcek / Seconded by Councillor Douglas

Be it resolved that the low tender submitted by McNally Excavating for Option 1 (extend tile across channel) in the amount of \$88,039.31 (including HST) be accepted pending appeals to the Court of Revision.

Carried

The maintenance request on the 9-10 Sideroad Drain was reviewed by Council. The Drainage Superintendent indicated he would attempt to get an onsite meeting arranged shortly.

**6. CORRESPONDENCE**

Motion # 2019-374

Moved by Councillor Douglas / Seconded by Councillor Deans

Be it resolved that correspondence items 5 i a-d and iia be received and filed.

Carried

ii-a Brooke-Alvinston Christmas Meal

Councillor Douglas declared a conflict of interest as her family prepares and serves the meal. The Clerk Administrator noted that in the past, Councillors or those in attendance could make personal donations to the meal and cheques can be made out to Guthrie Presbyterian Church.

**6. STAFF REPORTS**

6.1 Clerk-Administrator's Report

i) Lambton OPP Contract

Councillor Armstrong questioned if the agreement needed to be for a locked in term or if it could be renewed annually.

Motion # 2019-375

Moved by Councillor Nemcek / Seconded by Councillor Deans

Be it resolved that Council table the renewal of an agreement with the Lambton OPP to the December 12<sup>th</sup> meeting and directs staff to explore a one year vs. 4 year contract.

Carried

- ii) 3202 Park Street, Inwood

Motion # 2019-376

Moved by Councillor Nemcek / Seconded by Councillor Douglas

Be it resolved that the Council of the Municipality of Brooke-Alvinston declare the municipal property 3202 Park Street in Inwood as surplus; and that staff be directed to contact Nic Minten, Real Estate agent to arrange for the assessment of the property via his broker; and that once the appropriate property value is assigned, that the Clerk Administrator be authorized to approve the list price; and that once approved, the property be listed for sale.

Carried

6.2 Treasurer's Report

- i) Municipal Modernization Program

The Treasurer provided a verbal report on the newly initiated program. After discussion, Council opted to receive and file the report.

6.5 Public Works Manager's Report

The Public Works Manager, on behalf of staff, thanked Council for the Appreciation event. He noted that all staff enjoyed the night.

The Public Works Manager reviewed his summary report and responded to questions.

Councillor Armstrong declared a Conflict of Interest in regards to modifying the overnight parking by-law as he is a business owner on River Street.

Staff were directed to modify the overnight parking by-law to extend to 2am for Council consideration at the December 12, 2019 Council meeting.

Councillor Deans questioned signage on the gazebo in Inwood. He was advised the property owner would be arranging it.

The Public Works Manager noted that as a result of the Request for Proposal (RFP) for a fuel dispensing system, MacKenzie Fuel was approved for a five year term for 2.9 cents over rack price.

Councillor Nemcek questioned the status of the building on River Street that is half demolished. He was advised that the County of Lambton is actively working on the file.

Motion # 2019-377

Moved by Councillor Douglas / Seconded by Councillor Nemcek

Be it resolved that the Council of the Municipality of Brooke-Alvinston receive and file the summary report from the Public Works Manager.

Carried

**7. BY-LAWS**

Snow piling – Alvinston Legion

Motion # 2019-378

Moved by Councillor Deans / Seconded by Councillor Armstrong

Be it resolved that By-law Number 54 of 2019, being a By-law of the Corporation of the Municipality of Brooke Alvinston to authorize an agreement with the Alvinston Legion.

Carried

**8. NEW BUSINESS**

8.1 Inwood Firemen's Association Lease Agreement

The Clerk Administrator noted that the IFA did not accept Councils offer to rent the new bay exclusively for 1 year at \$20,063. It was noted to the IFA in the written request that should the offer be declined, the current fleet of fire apparatus parked in Inwood would be moved, and staff would be directed to pursue and report back on the option of a 2 bay addition to the Inwood library to maintain a fire presence in Inwood moving forward.

The Mayor requested the Fire Chief to provide notice and public education on fire protection to the Inwood area.

Councillor Armstrong made the following motion:

Motion # 2019-379

Moved by Councillor Armstrong / Seconded by Councillor Deans

That the Council of the Municipality of Brooke-Alvinston sign the five year agreement presented by the IFA and after the agreement is signed, a communication committee be put together to deal with issues between the IFA and Council.

Mayor Ferguson questioned if Councillor Deans was aware that he was listed as a Director on the IFA. Councillor Deans stated he didn't know he was on it however he had no conflict of interest as he has no monetary or personal gain.

The motion was defeated.

The Clerk Administrator questioned if Councillor Armstrong recalled the meeting on Monday where a motion was put forth for a one bay lease and that the current proposed full hall lease was against municipal legal opinion? Councillor Armstrong indicated that he was proposing a new motion and that he as a Councillor has a right to disagree.

The Clerk Administrator noted her roles as an Administrator and dealing with contracts is part of it; she questioned the precedence set and ramifications if other proposed agreements get settled without administration input.

The Clerk Administrator noted the 9 committed members standing in the Council chambers who continue to support Brooke Fire Rescue and how they are the ones directly affected by Council's decision.

She noted the survey results of Brooke Fire Rescue as they were personally polled for their opinion. The results broadcasted were:

- 7% sign the lease
- 17% offer to purchase the hall
- 76 % build onto the library as a municipally owned firehall

Councillor Deans noted that the IFA is the landlord and that a meeting could be set up in Inwood. The Clerk Administrator stated there is no issue with that.

Councillor Nemcek noted how he and Councillor Douglas received a letter stating they were banned from the IFA hall

#### Motion # 2019-380

Moved by Councillor Nemcek / Seconded by Councillor Douglas

Be it resolved that the Council of the Municipality of Brooke-Alvinston request a one year lease for exclusive use of the new bay for \$20,063 from the IFA while a study is done on the future needs of the equipment needed for Brooke Fire Rescue in order to be cost effective for the ratepayers.

Carried

Councillor Armstrong stated he was against a one bay lease option and questioned washroom access.

Councillor Deans noted a legal lease was drawn up and nothing would happen as long as "you people will be swayed".

Councillor Armstrong stated the previous Council signed the lease that is similar to the current proposed lease – 3 members of that Council are at the table this term.

**9. CLOSED SESSION**

There was no closed session at this meeting.

**10. RISE & REPORT**

**11. BY-LAWS CONFIRMING PROCEEDINGS**

Motion # 2019-381

Moved by Councillor Nemcek / Seconded by Councillor Deans

Be it resolved that By-law Number 55 of 2019, being a By-law of the Corporation of the Municipality of Brooke Alvinston to confirm the resolutions and motions of the Council of the Municipality of Brooke Alvinston which were adopted up to and including November 28, 2019 be taken as read a first, second and third time and finally passed this 14<sup>th</sup> day of November, 2019.

Carried

**12. ADJOURNMENT**

Motion # 2019-382

Moved by Councillor Deans / Seconded by Councillor

Be it resolved that this meeting be adjourned at 8:20 p.m. to meet again on December 12, 2019 at 4:00 p.m. or at the call of the chair.

Carried

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Mayor  
David Ferguson

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Clerk Administrator  
Janet Denkers