



# MINUTES

## Council Meeting

4:00 PM - Thursday, December 10, 2020

Virtual - Zoom Technology

The Council of the Brooke-Alvinston was called to order on Thursday, December 10, 2020, at 4:00 PM, in the Virtual - Zoom Technology, with the following members present:

**Council Present:** Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Jeannette Douglas, Councillor Jamie Armstrong, and Councillor Wayne Deans

**Staff Present:** Clerk Administrator Janet Denkers, Treasurer Stephen Ikert, Public Works Manager Randy Hills, Fire Chief Steve Knight and Administrative Assistant Darlene Paolucci

### 1 CALL TO ORDER

The Mayor called the meeting to order at 4:00 p.m.

### 2 DISCLOSURE OF PECUNIARY INTEREST

The Mayor requested that any pecuniary interests be declared at the appropriate time during the meeting.

### 3 MINUTES

a) Regular Council Meeting Minutes of November 26, 2020

#### **RESOLUTION-2020-364**

Deputy Mayor Frank Nemcek made a motion that the minutes of November 26, 2020 be approved as presented with no additions or deletions. Councillor Jeannette Douglas seconded the motion.

**Carried**

### 4 BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes discussed.

### 5 DELEGATIONS & TIMED EVENTS

a) 4:02 p.m. Zoning Amendment: 8075 Railroad Street, Alvinston

The Mayor called the Public Hearing to consider Zoning Amendment application Z02-20 to order at 4:02 p.m.

The Clerk Administrator noted the notice procedures of the application and noted comments on the application received from: Edgar & Arlene Brown, Mike Welburn and Kathleen Scott.

The Planner reviewed his submitted report and noted that the report from Golder Associates from 2008 addressed any environmental concerns at that time and that all concerns were addressed.

#### **RESOLUTION-2020-365**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston approve zoning application Z02-2020; and that the authorizing By-law be presented for approval later in the meeting. Councillor Jeannette Douglas seconded the motion.

**Carried**

- b) 4:07 p.m. Inspector Chris Avery & Officer Gord Keen - OPP  
ATV (email to confirm and Amanda emails)

Officers Gord Keen and Ross Stuart attended the virtual Council meeting to provide an analysis and impacts of ATV / ORV's on municipal highways. Effective January 1, 2021, should a municipality listed in Ontario Highway Traffic Act & Regulation 316/03 not pass a restricting by-law, all ATV/ORV's will be permitted.

**RESOLUTION-2020-366**

Deputy Mayor Frank Nemcek made a motion that ATV/ORV's be allowed on municipal roads, excluding the roads in the Villages of Alvinston and Inwood from sunrise to sunset and that a by-law be prepared for consideration at the next session of Council. Councillor Jeannette Douglas seconded the motion.

**Carried**

- c) 4:20 p.m. LGPSB Member: Shirley Durance

Direction requested: Recovery of 2021 Policing contract (\$15k, \$20k, 25k) - discussed at Nov. 26, 2020 meeting

LGPSB Member Shirley Durance attended the Council meeting to provide an overview of the recovery of the 2021 policing contract request. It was noted that a Mayor's meeting on the topic may be held in the future.

**RESOLUTION-2020-367**

Councillor Jamie Armstrong made a motion that the Municipality of Brooke-Alvinston agree to contributing to the extra funds requested by the LGPSB in the amount of \$25,000 provided the local municipalities also contribute. seconded the motion.

**The motion was withdrawn**

**RESOLUTION-2020-368**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston receive the request from the Lambton Police Services Board (LGPSB) for additional funding; and that the Council of the Municipality of Brooke-Alvinston approve the requested amount of \$1,121.88 / month for six months and that the recommendation be forwarded to the LGPSB. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- d) 4:30 p.m. OCWA -Alvinston Water & Sewage 20 Year Capital Plan

**RESOLUTION-2020-369**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston authorize the proposal submitted by OCWA to prepare a capital plan and rate study for the water and wastewater systems at a cost of \$15,000. Councillor Wayne Deans seconded the motion.

**Carried**

**RESOLUTION-2020-370**

Councillor Jamie Armstrong made a motion that the correspondence items as listed be received and filed. Councillor Jeannette Douglas seconded the motion.

**Carried**

## 6 CORRESPONDENCE

- a) Information Correspondence

### RESOLUTION-2020-371

Councillor Jamie Armstrong made a motion that the correspondence items presented be received and filed. Councillor Jeannette Douglas seconded the motion.

**Carried**

- b) Hamilton City Council Request: Temporary Cap on Food Delivery Service Charges

### RESOLUTION-2020-372

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston receive and file the correspondence received from Hamilton City Council. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- c) Hamilton City Council Request: Interim Cap on Gas Plant

### RESOLUTION-2020-373

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston receive and file the correspondence received from Hamilton City Council. Councillor Wayne Deans seconded the motion.

**Carried**

- d) Howick Township Request: Tile Drain plans

### RESOLUTION-2020-374

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston support the Township of Howick resolution to amend the Tile Drainage Installation Act and/or regulations to require tile drainage contractors to file farm tile drainage installation plans with the local municipality. Councillor Jamie Armstrong seconded the motion.

**Carried**

## 7 STAFF REPORTS

- a) **Notice of Motion:** (Councillor Armstrong - Nov. 26, 2020) Raise the Roost Project

That the Council of the Municipality of Brooke-Alvinston accept the Optimist Building Committee proposal as designed and positioned for future phases; that staff report on how much municipally financed dollars can be borrowed from the Municipality for the project while ensuring it is not municipally funded (potential of Infrastructure Ontario loan) including conditions of paying back the loan including interest.

### RESOLUTION-2020-375

Councillor Wayne Deans made a motion that the Notice of Motion presented by Councillor Armstrong be discussed. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- b) Councillor Nemcek inquired if in the draft written agreement between the Optimist Club and the Municipality, a lower interest could be had. The Treasurer noted that the Municipality is not a lending institution and there are also legal costs associated with the agreement; he welcomed proposals from Council on a different rate.

Councillor Armstrong noted he is not expecting the Raise the Roost project to cost more than the money raised and any money borrowed including interest charges would be paid back by the Optimist Club.

Councillor Armstrong made a motion that the Municipality lend the Optimist Club \$80,000 at an interest rate the Treasurer can secure. **Councillor Armstrong later withdrew this motion.**

Councillor Douglas inquired if there was a lower interest rate; the Treasurer noted Council decides the rate.

Mayor Ferguson stated he was against the motion as the BAICCC and ball diamonds currently run at deficits; the fundraising campaign has been ongoing over 6 years with the Optimist Club (member Jamie Armstrong) applying for grants that have been denied; if the Municipality lent money for this project, it would set a precedent for future service clubs; the project does not address the current canteen and noted potential conflicts of interest on the matter.

Councillor Armstrong made a second motion that the Council of the Municipality of Brooke-Alvinston accept the draft agreement presented to the Optimist Club to borrow money from the Municipality over a 10 year period with a maximum 4% interest rate and any cost overruns if applicable. **Councillor Armstrong later withdrew the motion.**

The Public Works Manager and Parks & Recreation Supervisor reiterated that if this is not a municipal project, the Municipality will require all names of persons that can be contacted during the construction phase including adequate insurance, liability and protection from the contractors.

A recorded vote was requested on the Notice of Motion:

Councillor Douglas	No
Councillor Deans	Yes
Councillor Nemcek	Yes
Councillor Armstrong	Yes
Mayor Ferguson	No

**c) Clerk Administrator's Report: Committee of Adjustment Vacancy**

**RESOLUTION-2020-376**

Councillor Wayne Deans made a motion that an advertisement be prepared requesting applicants to fill the vacant position on the Committee of Adjustment effective February 2021 with a closing date of January 8, 2021; and that the Clerk Administrator and two members of the County of Lambton Planning Department interview the qualified candidates; and that a recommendation for a new member be discussed at the January 14, 2021 regular session of Council. Councillor Jamie Armstrong seconded the motion.

**Carried**

**d) Clerk Administrator's Report: Accessibility Plan 2020-2022**

**RESOLUTION-2020-377**

Deputy Mayor Frank Nemcek made a motion that the attached report and 2020-2022 Accessibility Plan be approved as presented. Councillor Jamie Armstrong seconded the motion.

**Carried**

**e) Clerk Administrator's Report: 2021 Council Schedule**

**RESOLUTION-2020-378**

Councillor Jamie Armstrong made a motion that the attached 2021 Council Schedule as presented be adopted; and that a special preliminary budget meeting be held on January 21, 2021. Councillor Jeannette Douglas seconded the motion.

**Carried**

**f) Clerk Administrator's Report: 2021 Virtual Conferences (ROMA & OGRA)**

The Mayor reminded Council to advise the Clerk-Administrator if they have interest in attending the 2021 ROMA or 2021 OGRA conference. Councillor Armstrong requested that the early bird dates for registration be provided.

**g) Clerk Administrator's Report: Drain Tender Opening**

**RESOLUTION-2020-379**

Deputy Mayor Frank Nemcek made a motion that staff be authorized to approve the tender opening and report at the January 14, 2021 Council meeting of the outcome; and that Councillor Deans be in attendance for the opening. Councillor Jeannette Douglas seconded the motion.

**Carried**

**h) Treasurer's Report: Accounts Payable Listing - November 2020**

Council reviewed the accounts with no commentary.

**i) Parks & Recreation Supervisor's Report: Helmet Policy**

**RESOLUTION-2020-380**

Councillor Wayne Deans made a motion that the attached Helmet Policy be approved as presented with implementation in January 2021. Councillor Jeannette Douglas seconded the motion.

**Carried**

**j) Public Works Manager's Report: Reopening of Hilly Road**

**RESOLUTION-2020-381**

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston approves the re-opening of Hilly Road as recommended; and that By-law 56 of 2018 be repealed. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

**k) Drainage Superintendent's Report: Monthly Summary**

**RESOLUTION-2020-382**

Councillor Wayne Deans made a motion that Council accept the Petition from Mr. Don McGugan under Section 4 of the Drainage Act and appoint R. Dobbin Engineering Inc. to determine the validity of the petition and if a valid petition exists to prepare a report to address the drainage problem; and that Council send notice to the Petitioner in regard to Council's decision on the petition; and that Council send notice to the St. Clair Region Conservation Authority in regard's to Council's decision on the petition. Councillor Jamie Armstrong seconded the motion.

**Carried**

**l) Drainage Superintendent's Report**

**RESOLUTION-2020-383**

Councillor Jamie Armstrong made a motion that the request from Steve Moffatt for maintenance on the Kelly Drain be addressed with the other requests for the drain maintenance and that the Drainage Superintendent be authorized to

proceed as directed on the Kelly Drain and McNally Drain (beavers and dam removal) as outlined. Councillor Wayne Deans seconded the motion.

**Carried**

- m) **Treasurer's Report:** Investing in Canada Infrastructure Program (ICIP): COVID-19 Resilience Infrastructure Stream - Grant Application - Update

**RESOLUTION-2020-384**

Deputy Mayor Frank Nemcek made a motion that Council authorize staff to apply for ICIP Resilience Infrastructure Stream funding for modifications to municipal buildings: Fire Hall and Accessory Building , BAICCC Upper Hall, Administrative Building Upper Hall, and Inwood Ball Park Washroom upgrades, subject to available cost estimates and ICIP pre-approval that projects qualify. Councillor Jamie Armstrong seconded the motion.

**Carried**

**8 BY-LAWS**

- a) Proposed By-law to authorize Zoning By-law Amendment

**RESOLUTION-2020-385**

Councillor Wayne Deans made a motion that By-law 49 of 2020 be read a first, second and third time and finally passed this 10th day of December 2020. Councillor Jeannette Douglas seconded the motion.

**Carried**

**9 NEW BUSINESS**

The Public Works Manager noted that he is working on a plan to clear the sidewalks in Inwood of snow.

Councillor Nemcek reminded those present of the Santa Claus parade over the weekend.

Mayor Ferguson thanked the Public Works Department for their tireless efforts during the last snowstorm. They faced many obstacles and challenges and worked diligently.

**10 CLOSED SESSION**

**11 RISE AND REPORT**

**12 BY-LAW CONFIRMING PROCEEDINGS**

- a) Confirming By-law

**RESOLUTION-2020-386**

Councillor Jamie Armstrong made a motion that the confirming By-law 50 of 2020 be read a first, second and third time and finally passed this 10th day of December, 2020. Councillor Wayne Deans seconded the motion.

**Carried**

**13 ADJOURNMENT**

Councillor Deans made a motion to adjourn the meeting at 6:17 p.m.

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Clerk-Administrator

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Mayor