



# MINUTES

## Council Meeting

4:00 PM - Thursday, June 10, 2021

Virtual - Zoom Technology

The Council of the Brooke-Alvinston was called to order on Thursday, June 10, 2021, 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, Parks and Recreation Supervisor Kevin Miller, Administrative Assistant Darlene Paolucci, and Rob Nesbitt

**Regrets:**

### 1 CLOSED SESSION

**3:40 p.m.** Under section 239(2)(f) of the Municipal Act - advice that is subject to solicitor-client privilege, including communications necessary for that purpose

### 2 CALL TO ORDER

Mayor Ferguson called the meeting to order at 4:01 p.m. following the closed session meeting.

### 3 RISE AND REPORT

The Mayor requested the Clerk Administrator to Rise & Report from the closed session meeting.

It was noted that a closed session meeting was held under section 239(2)(f) of the Municipal Act to discuss information subject to solicitor-client privilege. Council along with the Clerk-Administrator, Treasurer and Public Works Manager attended the meeting. Councillor Armstrong logged into the meeting at 3:50 p.m. There was no action from the closed session meeting.

### 4 DISCLOSURE OF PECUNIARY INTEREST

Mayor Ferguson requested that any pecuniary interests be declared when appropriate during the meeting.

### 5 MINUTES

a) Regular Council Meeting Minutes of May 27, 2021

#### **RESOLUTION-2021-168**

Councillor Wayne Deans made a motion that the Minutes from the May 27, 2021 Council meeting be approved as presented without any errors or omissions. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

### 6 BUSINESS ARISING FROM THE MINUTES

## 7 DELEGATIONS & TIMED EVENTS

### a) Kucera OP & Zoning Amendment

Members of the public present to discuss the Rezoning / Official Plan Amendment application were the applicant Ryan Kucera and neighbouring property owner Nancy McCann. Kirk MacKenzie submitted a letter.

The County of Lambton Planner Rob Nesbitt reviewed his submitted report to Council and noted a development agreement between the Municipality and applicant should be entered into. Other concerns were the type of fencing and landscaping options and storage plans.

Councillor Nemcek recommended tabling the decision until the house is removed from the property and a draft site plan agreement is prepared with input from the applicant and neighbour.

### **RESOLUTION-2021-169**

Deputy Mayor Frank Nemcek made a motion that the application be tabled to the July 8th meeting whereby more information could be gathered including a draft site plan for Council review. Councillor Wayne Deans seconded the motion.

**Carried**

## 8 CORRESPONDENCE

### a) Appeals Tribunal Decision: David Buurma v Municipality of Brooke-Alvinston

### b) Information Only

### **RESOLUTION-2021-170**

Deputy Mayor Frank Nemcek made a motion that the Information Only Correspondence be received and filed. Councillor Jeannette Douglas seconded the motion.

**Carried**

### c) Town of Fort Erie - Provincial Hospital Funding of Major Capitol Equipment

### **RESOLUTION-2021-171**

Councillor Jeannette Douglas made a motion that Council supports the request from the Town of Fort Erie to request that the Ontario Government be financially responsible for the replacement costs associated with all major capitol equipment in hospitals or alternatively assume full responsibility for funding local hospitals completely. Councillor Jamie Armstrong seconded the motion.

**Carried**

### d) Municipality of York - Provincial Roadmap to Reopen

### **RESOLUTION-2021-172**

Councillor Wayne Deans made a motion that the request from the Municipality of York be received and filed. Councillor Jamie Armstrong seconded the motion.

**Carried**

### e) Town of Fort Erie - Capital Gains on Primary Residence

### **RESOLUTION-2021-173**

Deputy Mayor Frank Nemcek made a motion that the request from the Town of Fort Erie be received and filed. Councillor Wayne Deans seconded the motion.

**Carried**

- f) Town of Halton Hills - Elimination of LPAT

**RESOLUTION-2021-174**

Deputy Mayor Frank Nemcek made a motion that the request from the Town of Halton Hills be received and filed. Councillor Jeannette Douglas seconded the motion.

**Carried**

**9 STAFF REPORTS**

- a) **Clerk Administrator's Report:** Canada Day 2021

Councillor Armstrong inquired if the request from the Optimist Building Committee was received (for consideration of Mudmen playing in the south end of pavilion, takeout dinner served from north end of pavilion). Councillor Douglas responded that the members that responded on the email were not comfortable with the proposal as provincial regulations only allow for groupings of 10 at this time and it was not feasible with the additional volunteers that would be needed and the potential of large crowds gathering with the Mudmen present.

The Clerk Administrator noted that the Committee is working on a car rally, take out dinner and fireworks. The Ecumenical Service was not able to happen this year due to restrictions.

**RESOLUTION-2021-175**

Councillor Wayne Deans made a motion that the Canada Day 2021 report be received and filed. Councillor Jamie Armstrong seconded the motion.

**Carried**

- b) **Clerk Administrator's Report:** Railroad Street Drain

**RESOLUTION-2021-176**

Deputy Mayor Frank Nemcek made a motion that the easement agreement be approved for signing. Councillor Jeannette Douglas seconded the motion.

**Carried**

- c) **Clerk Administrator's Report:** Meeting Dates for Fees Review - Building Permit

**RESOLUTION-2021-177**

Councillor Jamie Armstrong made a motion that a public meeting to discuss municipal fees, including Building Permit fees be held July 8th during the regular Council meeting with consideration for adoption of a revised by-law to be considered at the July 22, 2021 meeting. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

- d) **Clerk Administrator's Report:** Review of the ATV By-law

Councillor Armstrong requested consideration be given to remove the restricted areas of commercial / residential areas from the ATV by-law and limit access on County roads.

**RESOLUTION-2021-178**

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

**Carried**

e) Pavilion Rental Considerations

Councillor Deans proposed giving the Optimist Club free rentals to the pavilion for a set period of time; it was noted that staff should report on requirements for alcohol related events in the pavilion; Councillor Armstrong noted the Alvinston Optimist Club has not yet obtained a liquor licence for the BAICCC as earlier proposed.

**RESOLUTION-2021-179**

Councillor Wayne Deans made a motion that Council directs staff to prepare a report for pavilion rental considerations for the next Council meeting. Councillor Jeannette Douglas seconded the motion.

**Carried**

f) Potential of Early Ice - BAICCC

**RESOLUTION-2021-180**

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston direct Administration to discuss options with the Brooke-Alvinston Watford Fall Fair Board to exempt the ice surface only from the agreement for use during the Fall Fair to allow for early ice installation at the BAICCC. Councillor Jamie Armstrong seconded the motion.

**Carried**

g) **Parks & Recreation Supervisor's Report:** Alvinston Killer Bees (Senior Hockey Team)

Councillor Armstrong recommended that Council consider a sponsorship package and consider discounted ice prices. It was noted that there are discounts to youth sports whereby other adult recreation teams including SORHA do not receive discounts in ice rental.

The staff recommendation to sponsor the first game of the Killer Bees was removed from the approved motion after discussion.

**RESOLUTION-2021-181**

Councillor Jamie Armstrong made a motion that the rental agreement with the Alvinston Killer Bees Senior Hockey Team be approved as presented; and that the status update of the team be received and filed. Councillor Wayne Deans seconded the motion.

**Carried**

h) **Treasurer's Report:** Accounts Payable Listing - May 2021

There were no questions on the presented accounts paid.

i) **Drainage Superintendent's Report:** 4-5 Concession & MacDougall Drain Tender Summary

**RESOLUTION-2021-182**

Councillor Wayne Deans made a motion that Council accepts the low tender from Bruce Poland & Sons in the amount of \$20,527.91 (including HST). Councillor Jeannette Douglas seconded the motion.

**Carried**

j) **Drainage Superintendent's Report:** Munro/McNally Drain

**RESOLUTION-2021-183**

Deputy Mayor Frank Nemcek made a motion that Council directs Staff to forward the drain maintenance request on the Munro / McNally Drain to the Drainage Superintendent with the power to act. Councillor Jamie Armstrong seconded the motion.

**Carried**

- k) **Drainage Superintendent's Report:** Orange Drain No. 1

**RESOLUTION-2021-184**

Councillor Wayne Deans made a motion that Council directs Staff to forward the drain maintenance request on the Orange Drain to the Drainage Superintendent with the power to act. Deputy Mayor Frank Nemcek seconded the motion.

**Carried**

**10 BY-LAWS**

- a) Proposed Speed By-law (26 of 2021)

**RESOLUTION-2021-185**

Councillor Jeannette Douglas made a motion that By-law 26 of 2021 be read a first, second and third time and finally passed this 10th day of June, 2021. Councillor Jamie Armstrong seconded the motion.

**Carried**

- b) Proposed Easement Agreement - Railroad St: Kucera (27 of 2021)

**RESOLUTION-2021-186**

Deputy Mayor Frank Nemcek made a motion that By-law 27 of 2021 be read a first, second and third time and finally passed this 10th day of June, 2021. Councillor Wayne Deans seconded the motion.

**Carried**

- c) Proposed Easement Agreement - Railroad Street: Johnston (28 of 2021)

**RESOLUTION-2021-187**

Councillor Jeannette Douglas made a motion that By-law 28 of 2021 be read a first, second and third time and finally passed this 10th day of June, 2021. Councillor Wayne Deans seconded the motion.

**Carried**

**11 NEW BUSINESS**

- a) Verbal Canada Day Update: Councillor Douglas

The verbal update was provided earlier in the meeting; Councillor Nemcek and Armstrong offered to volunteer with handing out meals on Canada Day.

- b) Parks & Recreation Update Playground Equipment / Nets Update

The Parks & Recreation Supervisor noted that under the Healthy Communities Grant approval (\$11k), new basketball nets and hoops and tennis nets / pickle ball nets will be installed upon arrival in Inwood and Alvinston.

Councillor Deans noted the skateboard ramps in Inwood should be removed as they have deteriorated and are not in good shape.

**12 BY-LAW CONFIRMING PROCEEDINGS**

- a) Confirming By-law (29 of 2021)

**RESOLUTION-2021-188**

Councillor Jeannette Douglas made a motion that By-law 29 of 2021 be read a first, second and third time and finally passed this 10th day of June, 2021.  
Councillor Jamie Armstrong seconded the motion.

**Carried**

**13 ADJOURNMENT**

Councillor Nemcek made a motion to adjourn the meeting at 5:11 p.m.

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Clerk-Administrator

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Mayor