



MINUTES

Council Meeting

4:30 PM - Thursday, September 14, 2023
Municipal Office

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, September 14, 2023, at 4:30 PM, in the Municipal Office, with the following members present:

Council Present: Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Craig Sanders, Councillor Don McCabe, and Councillor Jenny Redick

Staff Present: Clerk Administrator Janet Denkers, Treasurer Stephen Ikert, Fire Chief Steve Knight, Parks and Recreation Manager Greg Thornicroft, and Public Works Superintendent Jamie Butler

Regrets:

1 CALL TO ORDER

The Mayor called the meeting to order at 4:30 p.m..

2 DISCLOSURE OF PECUNIARY INTEREST

The Mayor asked that any pecuniary interests be declared at the appropriate time.

3 MINUTES

a) Regular Council Meeting Minutes of August 10, 2023

RESOLUTION-2023-295

Deputy Mayor Frank Nemcek made a motion that the minutes of August 10, 2023 be approved as presented without error or omission. Councillor Craig Sanders seconded the motion.

Carried

4 BUSINESS ARISING FROM THE MINUTES

Councillor Redick inquired about provincial help for the storm damage similar to Warwick's declaration. She was advised that there is certain criteria to obtain help and staff are compiling the information and will advise if we meet the criteria.

Councillor Nemcek asked for an update on the delegation at AMO made by the Mayor and Councillor McCabe.

5 DELEGATIONS & TIMED EVENTS

6 CORRESPONDENCE

a) Municipal Correspondence

RESOLUTION-2023-296

Councillor Craig Sanders made a motion that the correspondence items circulated be received and filed. Councillor Jenny Redick seconded the motion.

Carried

b) Request for Support: Town of Grimsby

RESOLUTION-2023-297

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston receive and support the request from the Town of Grimsby in requesting the federal government to establish a guaranteed livable income. Councillor Craig Sanders seconded the motion.

Carried

- c) Request for Support: Township of Emo

RESOLUTION-2023-298

Councillor Don McCabe made a motion that the Council of the Township of Brooke-Alvinston receive and file the request for support from the Township of Emo on black ash tree classification under the endangered species act. Councillor Jenny Redick seconded the motion.

Carried

- d) Request for Support: Township of Severn

RESOLUTION-2023-299

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston receive and file the request from the Township of Severn in reference to Climate Emergency Just Transition Transfer. Councillor Jenny Redick seconded the motion.

Carried

7 STAFF REPORTS

- a) **Planner's Report:** Kucera Site Plan

RESOLUTION-2023-300

Councillor Craig Sanders made a motion that Council support the site plan agreement as presented for 3312 Nauvoo Road. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- b) **Drainage Superintendent's Report:** Proposal to amend the McEachren Drain Engineer's Report

RESOLUTION-2023-301

Deputy Mayor Frank Nemcek made a motion that Council approve the amended report on the McEachren Drain and authorizes the By-law to be passed. Councillor Craig Sanders seconded the motion.

Carried

- c) **Drainage Superintendent's Report - Drain Maintenance Requests**

RESOLUTION-2023-302

Councillor Craig Sanders made a motion that the requests for maintenance on the: Pray Drain, Dolbear-McKellar Drain, Gray Drain #1, Gray Dolbear Drain and Moffatt Lucas Drain be referred to the Drainage Superintendent with the power to act. Councillor Jenny Redick seconded the motion.

Carried

- d) **Drainage Superintendent's Report**

RESOLUTION-2023-303

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston approve that Bruce Poland and Sons complete the work for culvert replacements based on time and material rates;

and appoint R. Dobbin Engineering under section 78 of the Drainage Act to complete a new report on the Stewart Drain for culvert replacements. Councillor Craig Sanders seconded the motion.

Carried

- e) **Parks & Recreation Manager's Report:** Arena Sound System

RESOLUTION-2023-304

Councillor Craig Sanders made a motion that the quote from Music City in the amount of \$14,342.49 (including tax) (plus additional \$1300 estimate) be approved for improvements to the arena sound system. Councillor Jenny Redick seconded the motion.

Carried

- f) **Treasurer's Report:** Budgeted Donation to Hospital Foundation(s)

RESOLUTION-2023-305

Councillor Don McCabe made a motion that the Council of the Municipality of Brooke-Alvinston contribute \$5,000 (budgeted) funds to Four Counties Health Services and consider a similar donation in 2024 to be split between Four Counties and CEEH (Petrolia) depending on interest. Councillor Jenny Redick seconded the motion.

Carried

- g) **Treasurer's Report:** Accounts Payable Listing - August 2023

RESOLUTION-2023-306

Councillor Jenny Redick made a motion that Council receive and file the Accounts Payable Listing for August 2023. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- h) **Clerk Administrator's Report:** Surplus Dwelling-LaSalle Line

RESOLUTION-2023-307

Councillor Craig Sanders made a motion that the Council of the Municipality of Brooke-Alvinston approve the use of the existing dwelling at 7830 LaSalle Line by Cindy & Daniel Minten for a 6 month period beginning October 1, 2023 while a new dwelling is being constructed; and that a security deposit of \$500 be remitted to the Municipal Office prior to the issue of the building permit; and that the security deposit be held by the Municipality until the construction is complete, the demolition permit obtained and occupancy issued. Councillor Don McCabe seconded the motion.

Carried

- i) **Clerk Administrator's Report:** Optimist Project - Dressing Room

Councillor Nemcek declared a conflict of interest as an Optimist member and did not participate or vote on the matter.

RESOLUTION-2023-308

Councillor Jenny Redick made a motion that staff be directed to prepare an agreement between the Municipality and the Alvinston & District Optimist Club for the Optimist Club Dressing Room Project (approved drawings from July 7, 2023) and present to Council and the Optimist Club for consideration. Councillor Craig Sanders seconded the motion.

Carried

- j) **Clerk Administrator's Report:** Alvinston Optimist / Killer Bee Request

Councillor Nemcek declared a conflict of interest as an Optimist member and did not participate or vote on the matter.

RESOLUTION-2023-309

Councillor Don McCabe made a motion that approval be granted to allow the Alvinston Optimist Club to permit liquor sales in the BAICCC for the Alvinston Killer Bees games and other Alvinston Optimist Club functions provided they adhere to all current Liquor License and Control Act of Ontario regulations and municipal insurance requirements to be outlined in an operating agreement. Councillor Craig Sanders seconded the motion.

Carried

k) Clerk Administrator's Report: 2023 Alvinston Christmas Celebration

The Optimist Club were requested to advise the Public Works Superintendent on the number of floats two weeks prior to the parade to determine if the determined closed roadway is sufficient.

RESOLUTION-2023-310

Councillor Craig Sanders made a motion that with gratitude, the Council of the Municipality of Brooke-Alvinston grant permissions to the Alvinston Optimist Club to host the 2023 Alvinston Christmas Celebration on December 2, 2023 and authorize closure of River Street from Railroad to Centre St.

And that the Alvinston Optimist Club be allowed to use an off road vehicle(s) in the urban areas specified during the event and for parade purposes only;

And that the public be alerted to the road closures and detours with assistance from the Municipality (website, bee sign and signage);

And that a copy of the clubs insurance naming the municipality as additionally insured be provided prior to the event. Councillor Don McCabe seconded the motion.

Carried

l) Clerk Administrator's Report: Draft Animal Services Contract

RESOLUTION-2023-311

Councillor Jenny Redick made a motion that the Council of the Municipality of Brooke-Alvinston approve in principle, entering into an Animal Services Contract with the Sarnia Humane Society. Deputy Mayor Frank Nemcek seconded the motion.

Carried

m) Clerk Administrator's Report: Truth & Reconciliation Day / Floating Holiday

RESOLUTION-2023-312

Councillor Jenny Redick made a motion that the Municipality approve the addition of a floating holiday for FT employees that can be used throughout the year including National Truth & Reconciliation Day (Sept. 30) and that this revision be effective to the HR Policy January 1, 2024. Councillor Don McCabe seconded the motion.

Carried

n) Public Works Superintendent's Report: Lasalle Line rebuild

RESOLUTION-2023-313

Councillor Craig Sanders made a motion that Council authorize Administration to work with the low tender of McKenzie & Henderson to haul crushed gravel to the Municipality for stockpiling purposes and delay the LaSalle Line (west of

Nauvoo Road) road base rebuilding to 2024. Councillor Jenny Redick seconded the motion.

Carried

- o) Community Improvement Plan

RESOLUTION-2023-314

Councillor Don McCabe made a motion that Council approve the Grant Application from Cooper Local Properties Inc. for façade improvements to 3221 River Street, Alvinston and agree to provide Cooper Local Properties Inc. with the grant(s) of \$4,500.00, since Cooper Local Properties Inc. complies with the requirements of the program; and that the excess that was not budgeted be referred to the 2024 budget. Deputy Mayor Frank Nemcek seconded the motion.

Carried

8 BY-LAWS

- a) By-law 42 of 2023 - Site Plan Approval -Kucera

RESOLUTION-2023-315

Councillor Jenny Redick made a motion that By-law 42 of 2023 be read a first, second and third time and finally passed this 14th day of September, 2023. Councillor Craig Sanders seconded the motion.

Carried

- b) By-law 43 of 2023 - Amending By-law to amend the McEachren Drain Report

RESOLUTION-2023-316

Councillor Craig Sanders made a motion that By-law 43 of 2023 be read a first, second and third time and finally passed this 14th day of September, 2023. Councillor Jenny Redick seconded the motion.

Carried

9 NEW BUSINESS

- a) Notice of Motion - Councillor Nemcek

RESOLUTION-2023-317

Deputy Mayor Frank Nemcek made a motion that Brooke-Alvinston request the St. Clair Region Conservation Authority take demolition of Campbell House off the table for a period of three years while every feasible avenue is pursued to restore and maintain this valuable heritage asset for the use and enjoyment of the community. This should include:1) clarification of the legislative and financial accountability for the maintenance and restoration of Campbell House (any pending MOU between Municipality and SCRCA);2) exploration of options for raising funds (donations, memberships, grants) by the Friends of Campbell Park; 3) development with the help of a heritage consultant of a three to five-year plan to complete most urgent repairs to Campbell House, as well as a ten-year plan for full restoration and ongoing maintenance. Councillor Jenny Redick seconded the motion.

Carried

- b) Letter to Council: AW Conservation Area

RESOLUTION-2023-318

Deputy Mayor Frank Nemcek made a motion that the letter from the SCRCA requesting Council consider demolition of the Campbell House be tabled and staff discuss with the insurance provider the ramifications of deferring the

demolition with the submitted Engineer's report in hand recommending demolition. Councillor Craig Sanders seconded the motion.

Carried

- c) Letter from the Alvinston Killer Bees Hockey Club

RESOLUTION-2023-319

Councillor Don McCabe made a motion that staff be directed to present a report at the next session of Council related to the drafted advertising proposal. Councillor Craig Sanders seconded the motion.

Carried

- d) BAICCC Flag replacement

The Parks & Recreation Manager noted the flags outside of the BAICCC suffered damage during the windstorm and quotes were received for replacement. The new design of build does not allow for the planter boxes design as they currently sit. A recommendation was to downsize to 1 flag pole and place bollards by the front entry. Staff agreed to work on more options to present.

- e) Councillor Redick read the comments received from the Integrity Commissioner dealing with her resignation from the Optimist Club. It was determined that since her resignation, she has no perceived conflict but should remain unbiased in her future voting.

She confronted the Mayor on comments she heard and alleged coercion to not vote when questioned if she had a conflict of interest after her Optimist Club resignation.

- f) Frank Nemcek inquired when the Durham subdivision would begin and the cleanup by the Public Works crew on Mike Oke's lot
- g) Jenny Redick inquired about a follow up to an email from a resident. The Clerk Administrator was not included in the email but received it from a Councillor after; she stated she understood all of Council spoke to the resident regarding the email.

10 CLOSED SESSION

11 RISE AND REPORT

12 BY-LAW CONFIRMING PROCEEDINGS

- a) By-law 44 of 2023 - Confirming By-law

RESOLUTION-2023-320

Deputy Mayor Frank Nemcek made a motion that By-law 44 of 2023 be read a first, second and third time and finally passed this 14th day of September 2023. Councillor Craig Sanders seconded the motion.

Carried

13 ADJOURNMENT

Clerk-Administrator

Mayor

