



The Corporation of the Municipality of Brockton

Council Meeting Minutes

Tuesday, June 22, 2021, 7:00 p.m.

Electronic Meeting

Council Present: Chris Peabody, Mayor (Absent for Item 1-6.1)
Dan Gieruszak, Deputy Mayor
Steve Adams, Councillor
Tim Elphick, Councillor
Kym Hutcheon, Councillor
James Lang, Councillor
Dean Leifso, Councillor

Staff Present: Sonya Watson, Chief Administrative Officer
Fiona Hamilton, Clerk
Trish Serratore, Chief Financial Officer
Dieter Wertz, Building and Planning Manager
Mark Coleman, Director of Community Services
Paulette Peirol, Community Development Coordinator
Chris Wells, Director of Fire and Emergency Services

1. Acceptance of Council Agenda

Deputy Mayor Dan Gieruszak chaired the meeting in the temporary absence of Mayor Chris Peabody.

Resolution 21-20-01

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton accept the Agenda for the regular Council Meeting on June 22, 2021 as presented.

Carried

2. Declaration of Pecuniary Interest and General Nature Thereof

Councillor Leifso declared a conflict of interest in relation to an item from the closed session for professional reasons.

3. Public Meetings Required Under the Planning Act

4. Delegations

5. Minutes

5.1 Council Minutes - June 8, 2021

5.2 Special Council Minutes - June 15, 2021

Resolution 21-20-02

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton adopt the minutes of the June 8, 2021 Council Meeting and June 15, 2021 Special Council Meeting as presented.

Carried

6. Business Arising From the Minutes

6.1 Brockton Heritage Committee Reserve Fund

Trish Serratore, Chief Financial Officer, responded to questions from Council about the balance in the reserve fund.

Fiona Hamilton, Clerk provided background information about the Committee's reserve funds and intention of defining the purpose of the reserve fund for historical archives and maintenance of the Provincial heritage loan program.

Resolution 21-20-03

Moved By: Dean Leifso

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby recommends that the Brockton Heritage Committee Heritage Reserve Fund be designated as a dedicated reserve fund to save funds to house and showcase the heritage collection and to administer the heritage loan program.

Carried

7. Reports

Mayor Chris Peabody entered the Council Meeting and resumed the position of Chair.

7.1 Remembrance Day Banners

Council expressed support for the banner project, and suggested that the electrical company installing the banners be issued a charitable receipt for its assistance.

Resolution 21-20-04

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number ED2021-04 – Remembrance Day Banners, prepared by Paulette Peirol, Community Development Coordinator and in so doing approves the display of Remembrance Day Banners in downtown Walkerton, supporting an initiative by the Walkerton Legion to commemorate our veterans; and further commits to covering the cost associated with installing and taking down the banners each year.

Carried

7.2 Pop-Up Tent Shelters

Mr. Coleman, Director of Community Services, responded to questions from Council about the extent to which the pop-up-tents could potentially interfere with local businesses, along with a discussion of whether a formal request was received to warrant the expense. Council discussed the recommendations from the BIA Board of Directors as an indicator of future interest for the loan of the pop-up tents. It was noted that the COVID-19 Safe Restart Funding could assist with this project.

Resolution 21-20-05

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number REC2021-16 – Pop-Up Tent Shelters, prepared by Mark Coleman, Director of Community Services, and in doing so directs staff to proceed by including the purchase of Pop-Up Tent Shelters and the establishment of a rental program in the 2022 Draft Budget.

Carried

7.3 Cargill Community Centre Fibre Optic Internet Lease Agreement

Sonya Watson, Chief Administrative Officer responded to questions about the amount of rent in the Lease Agreement, advising that the Cargill Community Centre agreement was consistent with the Lease Agreement for the Brant Works Shop, and that both properties would be receiving free internet as a result of the agreement.

Resolution 21-20-06

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number REC2021-15 - Cargill Community Centre Fibre Optic Internet Lease Agreement, prepared by Mark Coleman, Director of Operations, and in doing so approves a By-Law coming forward entering into a Lease Agreement with EH!Tel Network Inc.

Carried

7.4 Health and Safety Requirements for Contractors on Municipal Property

Council discussed the extent of due diligence required on the part of the Municipality of Brockton and the best way to verify the safety regime of the contractors performing work for Brockton. Council also discussed the communication roll-out to local businesses and questioned the additional value provided by Compliance Sync.

Chris Wells, Fire Chief, provided an overview of the benefits of adopting the Compliance Sync program, including the need to be accountable and transparent and to manage limited staff time while ensuring legislative compliance. Mr. Wells also responded to questions from Council about the additional health and safety measures that would be adopted in the future to ensure due diligence, aside from potentially considering Compliance Sync. Mr. Wells also noted that if all businesses paid the same fee, it was creating a level playing field for all firms to compete while sending the message that health and safety is a priority for Brockton.

Council discussed the need to ensure sufficient standards to be balanced in a cost-effective manner. Council directed staff to proceed with Option C and proceed with Compliance Sync as initiated.

Resolution 21-20-07

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number HS2021-01 – Health and Safety Requirements for Contractors on Municipal Property, prepared by Chris Wells, Director of Fire and Emergency Services for

information purposes and provides staff further direction on the preferred option, being Option C, to ensure the Municipality is meeting the minimum requirements of the Occupational Health and Safety Act.

Carried

7.5 Site Plan Control Agreement Template Update

Council discussed the need to receive feedback from the development community on the draft documents. Fiona Hamilton, Clerk suggested that staff could contact local engineers with expertise in working with various developers to obtain feedback on the documents.

Resolution 21-20-08

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby approves Report Number BLDG2021-14 - Site Plan Control Agreement Template Update, prepared by Dieter Weltz, Building and Planning Manager/CBO and in doing so authorizes staff to contact the municipal solicitor to develop a new Site Plan Agreement Template and to bring forward the applicable by-laws to be revised in the future.

Carried

7.6 Site Plan Control By-law for Ridout and Maple Street

Resolution 21-20-09

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby approves Report Number BLDG2021-15 - Site Plan Control By-law for Ridout and Maple Street, prepared by Dieter Weltz, Building and Planning Manager/CBO and Fiona Hamilton, Clerk, and in doing so approves a Site Plan Control By-law coming forward to prohibit building on the lot located at the intersection of Ridout Street, Maple Street and Elgin Street in Walkerton.

Carried

7.7 Refreshment Vehicle Licensing

Resolution 21-20-10

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number CLK2021-20 – Refreshment Vehicle Licensing, prepared by Fiona Hamilton Clerk and in doing so approves a By-Law coming forward to amend the original Refreshment Vehicle Licensing By-Law, and further that an amended Fees and Charges By-Law coming forward to adjust the associated fees.

Carried

7.8 Brockton Heritage Committee Terms of Reference

Resolution 21-20-11

Moved By: Dean Leifso

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby receives Report Number CLK2021-17 - Brockton Heritage Committee Terms of Reference, prepared by Sarah Johnson, Jr. Deputy Clerk and Fiona Hamilton, Clerk and in doing so

approves a By-Law coming forward adopting the revised terms of reference for the Brockton Heritage Committee.

Carried

7.9 Community Safety and Well-Being Plan Implementation Phase

Council discussed nominations for the Council representative on the Committee. Deputy Mayor Dan Gieruszak volunteered to sit on the Committee and monitor the time commitments required.

Resolution 21-20-12

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby approves Report Number CLK2021-18 – Community Safety and Well-Being Plan Implementation Phase, prepared by Fiona Hamilton, Clerk and approves bringing a by-law forward to authorize the proposed revised Community Safety and Well-Being Plan Agreement and further appoints Shalyn Swan, Recreation Programmer, Krista Miller, South Bruce O.P.P. Detachment Commander and Deputy Mayor Dan Gieruszak as a Council representative to the Community Safety and Well-Being Advisory Committee.

Carried

7.10 Compulsory Joint Police Services Board

Councillor Tim Elphick informed Council that the Brockton Police Services Board recently contemplated the matter again and agreed to maintain its initial request of remaining as a separate Brockton Police Services Board given the concerns regarding additional costs faced by Brockton.

Council debated the options presented, and impact to Brockton if Option 2 was chosen to combine with the remaining South Bruce Police Services Boards, advocating for representation of Brockton's unique issues, and importance of policing in the community.

Fiona Hamilton, Clerk provided information on the available options, and proposal submission content. Ms. Hamilton advised that the proposal is due June 30, 2021 and staff require direction from Council on how to proceed with the submission. It was noted that the remaining South Bruce Police Services Boards have agreed to combine as a joint Board, including Arran-Elderslie, Huron-Kinloss, Kincardine and South Bruce. Ms. Hamilton provided clarification on the number of seats available on the joint Board, and suggestions of which individuals Brockton may be able to have as representation on the Board. Ms. Hamilton reiterated that the Municipality had not received a reply from the Ministry of the Solicitor General on the original exemption request despite further followed up requests.

The motion was tabled as Council directed staff to inquire with the Ministry of the Solicitor General and bring back an update at the Special Council Meeting on Thursday, June 24, 2021 regarding the consequences of choosing either option.

Resolution 21-20-13

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number CLK2021-19 – Compulsory Joint Police Services Board, prepared by Sarah Johnson, Jr. Deputy Clerk and Fiona Hamilton, Clerk and in doing so approves

proceeding to submit a joint proposal under the *Community Safety and Policing Act, 2019* with the South Bruce O.P.P. Police Services Boards prior to the June 2021 month-end extension deadline.

Tabled

7.11 COVID-19 Municipal Response - June 22, 2021 Update

Resolution 21-20-14

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number CLK2021-16 - COVID-19 Municipal Response – June 22, 2021 Update, prepared by Sarah Johnson, Jr. Deputy Clerk for information purposes and further confirms and ratifies all operational decisions, procedures, and cancellations put in place by staff, and the Municipal Emergency Control Group in response for the COVID-19 pandemic.

Carried

7.12 Delegation of Land Division Responsibilities

Sonya Watson, Chief Administrative Officer responded to questions from Council on the process involved, and additional staffing requirements that would be needed if Brockton were to take on all responsibilities.

Council directed staff to investigate the options, favouring that the County of Bruce would continue to process applications which could then be brought to local Councils to make the final decision.

Resolution 21-20-15

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives Report Number CAO2021-10 - Delegation of Land Division Authority, prepared by Sonya Watson, Chief Administrative Officer and in so doing provides direction to staff on Council's interest in having staff investigate the transition of authority for consideration of Land Division Responsibilities to be delegated to the Municipality of Brockton Council in either a full or partial manner with consideration of cost effectiveness, process, legal considerations, and local benefits.

Carried

7.13 Natural Gas Coming to Brockton

Council commended staff for their efforts to bring natural gas to the community.

Resolution 21-20-16

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number CAO2021-11 - Natural Gas Coming to Brockton, prepared by Sonya Watson, Chief Administrative Officer, for information purposes

Carried

8. Public Notification

8.1 Temporary Bridge Closure - D.S. Weis Memorial Bridge

- 8.2 Notice of Construction - George Street, Walkerton Reconstruction
- 8.3 Service Disruption - Bruce Road 3
- 8.4 Service Disruption - Bruce Road 4
- 8.5 Service Disruption - Chepstow Road

9. Accounts

- 9.1 Accounts - \$2,219,768.05

Resolution 21-20-17

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton approve payment of the accounts in the amount of \$2,219,768.05.

Carried

10. Correspondence Requiring Action

11. Information

Councillor Dean Leifso requested that Item 11.9 be brought forward to the next Council Meeting. Councillor Tim Elphick informed Council of the change in reporting content as requested by the Brockton Police Services Board, providing additional statistics on matters of interest to the community.

- 11.1 Brockton PSB Detachment Commander's Report - May 2021
- 11.2 Drinking Water Source Protection - Source Protection Plan Pre-Consultation, Section 36 Plan Amendments
- 11.3 Saugeen Valley Conservation Authority Minutes - May 20, 2021
- 11.4 Township of Havelock-Belmont-Methuen Resolution - Support Grey Highlands on Continuous Increases of Cost for Municipal Insurance
- 11.5 Township of Havelock-Belmont-Methuen Resolution - Support Southwest Middlesex on Drainage Matters and Canadian National Railway
- 11.6 Township Havelock-Belmont-Methuen Resolution - Support South-West Oxford on Use of Automatic Speed Enforcement
- 11.7 Township of Huron-Kinloss Resolution - Support Cochrane and Hudson on Fire Department Infrastructure Program
- 11.8 Township of Huron-Kinloss Resolution - Three Digit Suicide and Crisis Prevention Hotline
- 11.9 Municipality of Lemington Resolution - Three Digit Suicide and Crisis Hotline
- 11.10 Township of Rideau Lakes Resolution - Cemetery Funding
- 11.11 Municipality of South Huron Resolution - Support Chatham-Kent Resolution on Changes to MFFIPA

Resolution 21-20-18

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton hereby receives all items provided in Section 11. Information.

Carried

12. By-Laws

Resolution 21-20-19

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton authorize that the following by-laws be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-083 - Holding Removal By-Law 2564744 Ontario Ltd (Devin Clancy) Z-2020-020
- By-Law 2021-084 - EH!Tel Networks Inc. Cargill Community Centre Lease Agreement By-Law
- By-Law 2021-085 - Amend Refreshment Vehicle Licensing By-Law
- By-Law 2021-086 - Amend 2021 Fees and Charges By-Law
- By-Law 2021-087 - Brockton Heritage Committee Terms of Reference By-Law
- By-Law 2021-088 - Community Safety and Well-Being Plan Agreement By-Law
- By-Law 2021-089 - Ridout and Maple Site Plan Control By-Law

Carried

13. Committee Minutes

Resolution 21-20-20

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton receive the minutes of the following committees and or boards as presented:

- Brockton Police Services Board Minutes - May 20, 2021

Carried

14. New Business Brought Forward

14.1 Brockton Police Services Board Resolution - Fail to Attend Court Statistics

Council agreed to proceed with considering the motion at the current meeting.

Resolution 21-20-21

Moved By: Tim Elphick

Seconded By: Steve Adams

WHEREAS the Brockton Police Services Board has recognized a discrepancy in billing of the Fail to Attend Court statistics;

AND WHEREAS the Board has pursued further investigation with the Ontario Provincial Police to the extent possible within their respective mandate;
AND WHEREAS the discrepancy does have a financial impact on the Municipality;

AND WHEREAS all financial matters related to policing services are the responsibility of the Council of the Municipality of Brockton;

NOW THEREFORE, the Brockton Police Services Board recommended to the Council of the Municipality of Brockton to direct staff to prepare a report in relation to the billing of Fail to Attend Court statistics;

AND FURTHER that such report shall outline staff recommendations based on the dispute resolution mechanisms provided for in the OPP policing agreement;

AND FURTHER that such report shall outline any financial impact on the Municipality of Brockton.

NOW THEREFORE the Council of the Municipality of Brockton hereby direct staff to prepare a report in relation to the billing of Fail to Attend Court statistics as recommended by the Brockton Police Services Board.

Carried

2. Parking on Durham Street

Council requested that the By-Law Enforcement Officer continue to ticket vehicles disobeying the two-hour parking restrictions along Durham Street in Walkerton, advising that the main street remains busy as businesses have reopened and/or continue to offer curbside pickup services. Dieter Weltz, Building and Planning Manager/CBO informed Council that the By-Law Enforcement Officer is currently enforcing the Traffic and Parking By-Law, and will continue to do so. Council also suggested that communications be issued to the community to advise them that proactive enforcement will be completed. Councillor Kym Hutcheon advised that she would contact the Walkerton BIA to notify members.

15. Closed Session

Fiona Hamilton, Clerk informed Council that additional matters had arisen that could be considered in Closed Session in the form of verbal updates, including:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - **Infrastructure Matter**
- A proposed or pending acquisition or disposition of land by the municipality or local board - **Amendment to Agreement**

Council amended the motion to include the additional reasons to enter into Closed Session.

Resolution 21-20-22

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton enter into Closed Session at 8:43 p.m. in order to address a matter pertaining to:

- Security of the property of the municipality or local board
- Personal matters about an identifiable individual, including municipal or local board employees -**Staffing Update, Committee Vacancy**
- A proposed or pending acquisition or disposition of land by the municipality or local board -**Servicing Considerations, Amendment to Agreement**
- Labour relations or employee negotiations
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board -**Drainage Matter, Infrastructure Matter**

- Advice that is subject to solicitor/client privilege, including communications necessary for that purpose
- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c.25, s.239 (2)
- Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with contractual or other negotiations of a person, group of persons, or organization
- A trade secret or scientific, technical, commercial, financial information that belongs to the municipality or local board and has monetary value or potential monetary value
- A position, plan, procedure, criteria or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the municipality or local board - **Municipal Agreement**
- The meeting is held for the purpose of educating or training the members and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Carried

Resolution 21-20-23

Moved By: James Lang

Seconded By: Steve Adams

That the Council of the Municipality of Brockton hereby approve the direction provided to staff in Closed Session and in doing so acknowledges the hiring of Sam Tiedemann as the Full-Time Facilities and Parks Attendant and further acknowledges the hiring of Jackson Traverse as the Part-Time Facilities and Parks Maintainer.

Carried

Resolution 21-20-24

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton authorize that the following by-law be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-092 - Amend 2018-2022 Council Committee Appointment By-Law

Carried

Councillor Dean Leifso declared a conflict of interest on the motion regarding the Town of Hanover boundary request and refrained from voting.

Resolution 21-20-25

Moved By: Steve Adams

Seconded By: Dan Gieruszak

That the Council of the Municipality of Brockton has considered the request of the Town of Hanover to potentially amend the boundaries and respectfully declines the invitation to meet at this time.

Carried

16. By-laws Continued

Resolution 21-20-26

Moved By: Steve Adams

Seconded By: James Lang

That the Council of the Municipality of Brockton authorize that the following by-laws be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-091 - Declare Property Surplus By-Law (PIN 33196-0541)

Carried

Resolution 21-20-27

Moved By: Dan Gieruszak

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton authorize that the following by-laws be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-090 - Declare Property Surplus By-Law (Being Part of PIN 33196-0540)

Tabled

Resolution 21-20-28

Moved By: Dan Gieruszak

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton authorize that the following by-law be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-093 - Amend MB Civil Design Agreement of Purchase and Sale By-Law

Carried

17. Confirmation of Proceedings

Resolution 21-20-29

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton authorize that the following by-law be read, enacted, signed, sealed, and numbered as follows:

- By-Law 2021-094 - June 22, 2021 Confirmatory By-Law

Carried

18. Adjournment

Resolution 21-20-30

Moved By: James Lang

Seconded By: Dean Leifso

That the Council of the Municipality of Brockton does now adjourn at 10:06 p.m.
to meet again on July 13, 2021.

Carried

Mayor - Chris Peabody

Clerk – Fiona Hamilton