



The Corporation of the Municipality of Brockton

Council Meeting Minutes

Tuesday, May 23, 2023, 7:00 p.m.

Bruce County Council Chambers - 30 Park Street, Walkerton, ON

Council Present: Chris Peabody, Mayor
James Lang, Deputy Mayor
Mitch Clark, Councillor
Tim Elphick, Councillor
Kym Hutcheon, Councillor
B. Carl Kuhnke, Councillor
Gregory J. McLean, Councillor

Staff Present: Sonya Watson, Chief Administrative Officer
Fiona Hamilton, Director of Legislative and Legal Services (Clerk)
Trish Serratore, Chief Financial Officer
Dieter Weltz, Building and Planning Manager/CBO
Nicholas Schnurr, Director of Operations
Brad Thomson, Acting Community Services Supervisor

1. **Indigenous Land Acknowledgement Statement**
2. **Acceptance of Council Agenda**

Resolution 23-12-01

Moved By: Kym Hutcheon

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton accept the Agenda for the regular Council Meeting on May 23, 2023 as presented.

Carried

3. **Declaration of Pecuniary Interest and General Nature Thereof**
4. **Public Meetings Required Under the Planning Act**
5. **Delegations**
6. **Minutes**
- 6.1 Council Minutes - May 9, 2023

Resolution 23-12-02

Moved By: Kym Hutcheon

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton adopt the minutes of the May 9, 2023 Council Meeting as presented.

Carried

7. Business Arising From the Minutes

7.1 Town of Fort Erie Resolution - Municipal Oath of Office

Resolution 23-12-03

Moved By: Gregory J. McLean

Seconded By: Kym Hutcheon

Whereas most municipalities in Ontario have a native land acknowledgement in their opening ceremony;

And Whereas a clear reference to the rights of Indigenous people is the aim of advancing Truth and Reconciliation;

And Whereas Call to Action 94 of the Truth and Reconciliation Commission of Canada called upon the Government of Canada to replace the wording of the Oath of Citizenship to include the recognition of the laws of Canada including Treaties with Indigenous Peoples;

And Whereas on June 21, 2021 an Act to amend the Citizenship Act received royal assent to include clear reference to the rights of Indigenous peoples aimed at advancing the Truth and Reconciliation Commission's Calls to Action within the broader reconciliation framework;

And Whereas the Truth and Reconciliation Commission of Canada outlines specific calls to action for municipal governments in Canada to act on, including education and collaboration;

And Whereas the Council of the Municipality of Brockton supports the resolution passed by the Town of Fort Erie on April 24, 2023 regarding a change to the Municipal Oath of Office;

Now Therefore Be It Resolved That the Council of the Municipality of Brockton request the Minister of Municipal Affairs and Housing that the following changes be made to the municipal oath of office:

"I will be faithful and bear true allegiance to His Majesty King Charles III and that I will faithfully observe the laws of Canada including the Constitution, which recognizes and affirms the Indigenous and treaty rights of First Nations, Inuit and Metis peoples";

And Further that this resolution be forwarded to the The Honourable Steve Clerk, Minister, Minister of Municipal Affairs and Housing, The Honourable Doug Ford, Premier of Ontario, the Association of Municipalities of Ontario (AMO), MPP's Lisa Thompson and Rick Byers, and the Town of Fort Erie.

Carried

8. Reports

8.1 Asset Management of Retired Fire Pump

Resolution 23-12-04

Moved By: Kym Hutcheon

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number FIRE2023-04 – Asset Management of Retired Fire Truck, prepared by Chris Wells, Director of Fire and Emergency Services and in doing so approves deferring the sale of the pumper truck asset in support of allowing the Brockton Regional Training Centre to use the truck for ongoing training purposes with all

costs for maintaining the truck being supported by the Brockton Regional Training Centre funds.

Carried

8.2 Robinson and South Street, Walkerton Pedestrian Crossover

Nicholas Schnurr, Director of Operations, responded to questions from Council about the signage that could be used to indicate a presence of a school crossing sign, and where those particular signs could be used.

Resolution 23-12-05

Moved By: Kym Hutcheon

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number PW2023-12 – Robinson and South Street, Walkerton Pedestrian Crossover, prepared by Nicholas Schnurr, Director of Operations and in doing so directs staff to proceed with a school crossing as per the Amendments to Traffic and Parking By-Law Policy T02-2017-17.

Carried

8.3 Encroachment Agreement - Cargill Country Variety

Resolution 23-12-06

Moved By: Kym Hutcheon

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number BLDG2023-07 - Encroachment Agreement - Cargill Country Variety, prepared by Sarah Johnson, Deputy Clerk and Dominic Paquette, Building Inspector/Property Standards Officer and in doing so approves a By-Law coming forward entering into an Encroachment Agreement with Phyllis Spitzig for 205 Cargill Road.

Carried

8.4 Chief Building Official's Activity Report for April 2023

Resolution 23-12-07

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number BLDG2023-06 – Chief Building Official's Activity Report for April 2023, prepared by Dieter Weltz, Building and Planning Manager/CBO for information purposes.

Carried

8.5 Planning Activity Report April 2023 re Site Plan Control Applications Update, Bill 97 and draft new Provincial Policy Statement

Mayor Peabody expressed support for submitting comments in relation to the proposed legislative changes given Brockton's priorities to expand the urban boundary and allow for some development in the hamlets.

Resolution 23-12-08

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number PLN2023-02 - Planning Activity Report April 2023 re Site Plan Control Applications Update, Bill 97 and draft new Provincial Policy Statement, prepared

by Dieter Wetz, Building and Planning Manager/CBO for information purposes regarding Site Plan Control Applications and to provide comments and direction to staff related to filing comments related to Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023.

Carried

8.6 Animal Control and By-Law Enforcement Activity Report January to April 2023

Councillor Elphick commented on the fines received through the False Alarm By-law, and noted it may be necessary to increase the fine amounts due to the costs of the O.P.P. calls for service. It was noted that Council may wish to review the need for maximum fines in the By-law in the future.

Resolution 23-12-09

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number BL2023-02 - Animal Control and By-Law Enforcement Activity Report January to April 2023, Dieter Wetz, Building and Planning Manager/CBO for information purposes

Carried

8.7 Ontario Regulation 284/09 – 2023 Update

Resolution 23-12-10

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number FIN2023-14 - Ontario Regulation 284/09 – 2023 Update, prepared by Trish Serratore, Chief Financial Officer for information purposes.

Carried

8.8 2023 Brockton Investment Update

Council commented on the detailed considerations provided in the report. Trish Serratore, Chief Financial Officer, responded to questions from Council about the short term investment options.

Resolution 23-12-11

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number FIN2023-15 - 2023 Brockton Investment Update, prepared by Trish Serratore, Chief Financial Officer for information purposes.

Carried

8.9 Saugeen Artists Guild Waived Fee Request

Resolution 23-12-12

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives Report Number FIN2023-16 - Saugeen Artists Guild Waived Fee Request, prepared by Trish Serratore Chief Financial Officer and in doing so approves waiving the \$40.00 rental fee for the use of the Cargill pavilion.

Carried

8.10 PepsiCo Control Agreement Renewal

Trish Serratore, Chief Financial Officer, responded to questions from Council regarding the cost of the agreement.

Resolution 23-12-13

Moved By: Gregory J. McLean

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number REC2023-20 – PepsiCo Control Agreement Renewal, prepared by Trish Serratore, CFO/Acting Director of Community Services and in doing so approves entering into a contract with PepsiCo for a 5-year term.

Carried

8.11 Walkerton Community Centre Scoreboard Update

Council discussed email correspondence from the Walkerton Minor Hockey Association and suggested deferring consideration of the report until such time as additional clarification could be provided about the Scoreboard options. Council requested additional information about replacing the back advertising boards with an LED screen, and confirmation about whether the software would involve a licensing fee.

Brad Thomson, Acting Community Services Supervisor noted that the turnaround was approximately three (3) months for ordering and installation, and without a decision at this time, it may delay the installation until next season.

Resolution 23-12-14

Moved By: Gregory J. McLean

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number REC2023-21 – Walkerton Community Centre Scoreboard Update, prepared by Trish Serratore, CFO/Acting Director of Community Services for information purposes and in doing so approves Option_____ and in doing so approves funding the project from the Recreation Reserve Fund and repayment of the reserve funds through sponsorship, donations, and advertising revenue.

Tabled

8.12 June 2023 Council Meeting Location Change

Resolution 23-12-15

Moved By: Gregory J. McLean

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby receives Report Number CLK2023-11 - June 2023 Council Meeting Location Change, prepared by Sarah Johnson, Deputy Clerk and Fiona Hamilton, Director of Legislative and Legal Services (Clerk) and in doing so ratifies the decision to change the meeting location for the June 6, 2023 Meeting to the Bruce County Council Chambers and the June 20, 2023 Meeting to the Cargill Community Centre.

Carried

9. Public Notification

9.1 Volunteer Recognition Awards

Nominations are open for the Brockton Good Neighbour Award and the Outstanding Youth Award until June 1, 2023 at Noon.

9.2 June Council Meetings Location Change

The June 6, 2023 Council Meeting was scheduled to occur at the Bruce County Council Chambers and the June 20, 2023 Council Meeting scheduled for the Cargill Community Centre.

10. Accounts

10.1 Accounts - \$1,064,669.26

Resolution 23-12-16

Moved By: Gregory J. McLean

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton approve payment of the accounts in the amount of \$1,064,669.26.

Carried

11. Correspondence Requiring Action

11.1 Westario Power Inc. Rescheduled Shareholders Meeting

Resolution 23-12-17

Moved By: Gregory J. McLean

Seconded By: Tim Elphick

That the Council of the Municipality of Brockton hereby appoint Trish Serratore, Chief Financial Officer and Councillor Carl Kuhnke to represent Brockton as a Shareholder and vote on behalf of the Council of the Municipality at the Annual General Meeting on June 28, 2023.

Carried

11.2 Invitation to "When I Grow Up" Camp

Mayor Peabody, Councillor McLean, Councillor Elphick, and Deputy Mayor Lang expressed interest in attending the camp on August 3, 2023.

11.3 Invitation to Municipal Night at Blyth Festival

11.4 AMO Conference Call for Delegations

Council discussed submitting delegations to the following ministries:

1. The Ministry of Health to advocate for the mental health support program with the O.P.P. Council noted the program's success and the number of individuals diverted from the criminal justice system which also enable police officers to redirect their assistance to other matters.
2. The Ministry of Tourism, Culture and Sport.
3. The Ministry of Health and Long-Term Care to continue support for a local hospice.
4. The Ministry of the Solicitor General to continue advocating for a separate interior South Bruce Police Board that best represents our demographics rather than combining with coastal communities.

Council also discussed advocating for rural Ontario needs with political parties.

12. Information

Councillor Kuhnke noted that Inspector Miller's retirement was scheduled for the middle of June.

- 12.1 South Bruce O.P.P. Detachment Commander Report April 2023
- 12.2 Crime Stoppers of Grey Bruce Inc. - Spring 2023 Tipster's Magazine
- 12.3 Saugeen Mobility and Regional Transit - 2022 Annual Review and Ridership Statistic Summary
- 12.4 Bruce Area Solid Waste Recycling Minutes - February 16, 2023
- 12.5 Bruce Area Solid Waste Recycling Minutes - April 20, 2023
- 12.6 Saugeen Municipal Airport Minutes - March and April 2023
- 12.7 Township of Amaranth Resolution - School Bus Stop Arm Camera
- 12.8 Township of Armour Resolution - Water Aerodromes
- 12.9 Town of Fort Frances Resolution - Request for Additional Resources to Combat Opioid Crisis
- 12.10 Township of Havelock-Belmont-Methuen Resolution - Support Huron on Review of Cannabis Act
- 12.11 Municipality of Huron Shores Resolution - Support Chatham-Kent on Reduction of Municipal Insurance Costs
- 12.12 Municipality of Huron Shores Resolution - Support Petrolia on School Board Elections
- 12.13 Township of Lanark Highlands Resolution - Supports Mulmur on Bill 5
- 12.14 Township of Moonbeam Resolution - Support Mulmur on Bill 5 Stopping Harassment and Abuse by Local Leaders Act
- 12.15 Township of Perth South Resolution - Support Stratford on Use of Long Term Care Funding to Support Community Care Services
- 12.16 Town of Plympton-Wyoming Resolution - Support Chatham-Kent on Bill 5
- 12.17 Town of Plympton-Wyoming Resolution - Support Waterloo on Removing Addresses on Municipal Election Forms
- 12.18 City of Port Colborne Resolution - Support Plympton-Wyoming on Bill 5
- 12.19 County of Prince Edward Resolution - Declare Intimate Partner Violence an Epidemic
- 12.20 County of Prince Edward Resolution - Bill 23 More Homes Built Faster Act 2022
- 12.21 Township of Puslinch Resolution - Support North Perth on School Bus Stop Arm Cameras
- 12.22 Tay Valley Township Resolution - School Bus Stop Arm Cameras
- 12.23 Tay Valley Township Resolution - Retaining Surplus Proceeds from Tax Sales
- 12.24 Municipality of Tweed Resolution - Hydro and Telecommunication Pole Infrastructure
- 12.25 Municipality of Tweed Resolution - Reducing Municipal Insurance Costs
- 12.26 Municipality of Wawa Resolution - Municipal Oath of Office

- 12.27 Township of Wellington North Resolution - Support Sault Ste Marie on Bill 5 Stopping Harassment and Abuse by Local Leaders Act
- 12.28 Municipality of West Grey Resolution - Support Shuniah on Retaining Surplus Proceeds from Tax Sales

Resolution 23-12-18
Moved By: Tim Elphick
Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton hereby receives all items provided in Section 12. Information.

Carried

13. By-Laws

Resolution 23-12-19
Moved By: Tim Elphick
Seconded By: Kym Hutcheon

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 2023-048 - Pepsico Canada Agreement By-Law
- By-Law 2023-058 - 205 Cargill Road (Cargill Country Variety) Encroachment Agreement By-Law
- By-Law 2023-059 - 1878795 Ontario Inc. Agreement of Purchase and Sale By-Law
- By-Law 2023-061 - UV Disinfection System FCM Borrowing By-Law

Carried

14. Committee Minutes

Resolution 23-12-20
Moved By: Tim Elphick
Seconded By: Kym Hutcheon

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

- Elmwood Community Centre Board Special Minutes - April 19, 2023
- Brockton Parks and Recreation Committee Minutes - April 19, 2023
- Brockton Police Services Board Minutes - April 20, 2023

Carried

15. New Business Brought Forward

1. Hinks Street Concerns

Councillor McLean noted resident concerns about litter and obstructions on the sidewalk at the area of Hinks Street and Fischer Dairy Road. Fiona Hamilton, Director of Legal and Legislative Services (Clerk) provided a background on the former actions taken, and additional suggestions for working with the school administration to address concerns about littering, etc.

2. Ontario Health Coalition Referendum

Councillor McLean noted the referendum regarding private vs. public health care services and additional volunteers needed to help administer the local vote.

3. Accessibility Advisory Committee Meeting

Councillor McLean noted that the Accessibility Advisory Committee would be holding its first meeting on May 26, 2023.

4. Emergency Room Closures

Councillor Elphick noted the recent closure of the emergency room in Minden, and suggested that Council send a letter of support.

5. Firefighter Trade Show

Deputy Mayor Lang invited Council to the firefighter tradeshow and mutual aid event on June 1, 2023.

16. Closed Session

Resolution 23-12-21

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton enter into Closed Session at 7:36 p.m. in order to address a matter pertaining to:

- Labour relations or employee negotiations - **Staffing Update**
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - **Small Claims Court Matter**
- Advice that is subject to solicitor/client privilege, including communications necessary for that purpose - **Equipment Matter Instructions**
- 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 - **Water Use Agreement, Facility User Group Agreement, Proposed Lease Agreement**

Carried

Resolution 23-12-22

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

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 2023-060 - Town of Hanover and Hosskan Holdings Inc. Water Service Agreement By-Law

Carried

Resolution 23-12-23

Moved By: B. Carl Kuhnke

Seconded By: James Lang

That the Council of the Municipality of Brockton hereby approve the direction provided to staff in Closed Session and in doing so receives the report from Sonya Watson, CAO and authorizes up to \$21,000 plus H.S.T being spent on an executive search consultant for the position of Director of Community Services, using operational savings from the recreation budget.

Carried

17. Confirmation of Proceedings

Resolution 23-12-24

Moved By: Tim Elphick

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 2023-062 - May 23, 2023 Confirmatory By-Law

Carried

18. Adjournment

Resolution 23-12-25

Moved By: Tim Elphick

Seconded By: Kym Hutcheon

That the Council of the Municipality of Brockton does now adjourn at 8:56 p.m. to meet again on June 6, 2023.

Carried

Mayor - Chris Peabody

Director of Legal and Legislative Services – Fiona Hamilton