

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE AUDITORIUM AT THE SEAFORTH & DISTRICT COMMUNITY CENTRE
SEAFORTH, ONTARIO
TUESDAY, OCTOBER 6th, 2020 – 7:00 P.M.

Members Present: Mayor, Bernie MacLellan, Deputy Mayor Robert Fisher, Councillors John Lowe, Zoey Onn, Dianne Diehl, Alvin McLellan, Brenda Dalton, Gloria Wilbee, Joe Steffler, Larry McGrath and Raymond Chartrand

Absent: nil

Staff Present: CAO/Clerk, Brad Knight
Public Works Coordinator, Barry Mills
Fire Chief, Marty Bedard
Economic Development Officer, Jan Hawley
Executive Assistant, Janice Andrews

Others Present: Shawn Loughlin, Editor, The Citizen

Huron County Planner Laura Simpson, Kyle Henderson, Lori Henderson, Marian Van Dooren, Greg McGrath, Aaron McGrath, Jeff Watson and Connie Watson attended the meeting to hear the discussion on the consent applications C58/20 and C59/20 on Roxburgh Plan 286 (Item 7.17.1).

CALL TO ORDER & MAYOR’S REMARKS

Mayor Bernie MacLellan called the meeting to order at 7:00 p.m.

CONFIRMATION OF THE AGENDA

Moved by Bob Fisher and seconded by Dianne Diehl: Adopt Agenda
That the Agenda for the Regular Meeting of Council dated October 6th, 2020
be adopted as circulated with the following addition:
Agenda Item: 12.17.3 – Notice of Motion – Preventing COVID-19 in the Workplace Policy
Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Larry McGrath declared a pecuniary interest and refrained from any discussion on the Kyle and Lori Henderson severance applications as his son owns property beside the property in question (Items 7.17.1).

MINUTES OF PREVIOUS MEETING

Moved by Gloria Wilbee and seconded by Ray Chartrand: Meeting Minutes
That Council of the Municipality of Huron East approve the following Council
Meeting Minutes as printed and circulated:
a) Regular Meeting – September 22nd, 2020
b) Public Meeting – September 22nd, 2020
Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:06 p.m. Public Meeting – Zoning By-Law Amendment Applications

Moved by Dianne Diehl and seconded by Zoey Onn Adjourn Regular Meeting
That Council of the Municipality of Huron East adjourn the regular meeting
of Council at 7:06 p.m. to go into a Public Meeting to discuss the following:
i) Zoning By-Law Amendment Application – North Part Park Lot 9, as
RP 22R-1053, Part 3, Plan 194, Brussels Ward, known as 787 Sports
Drive, Brussels, (Henry Kroeker and Mary Kroeker).
Carried.

Moved by Ray Chartrand and seconded by Brenda Dalton: Reconvene Regular Meeting
That Council of the Municipality of Huron East resumes the regular Council
meeting at 7:10 p.m. Carried.

Moved by Zoey Onn and seconded by John Lowe:
THAT WHEREAS the Council of the Municipality of Huron East has held a public meeting pursuant to Section 34(12) of the Planning Act, 1990 with respect to the proposed zoning By-Law 60-2020;
AND WHEREAS no public comments were received on this application;
AND WHEREAS agency comments were received on this application from the Huron County Planning and Development Department recommending that the Municipality approve Zoning By-Law 60-2020;
NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council concurs with the September 30th, 2020 Planning Report and recommends By-Law 60-2020 for approval. Carried.

Recommend
By-Law 60-2020
for approval

ACCOUNTS PAYABLE

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

CAO/Clerk – Severance Applications C58/20 and C59/20 (Kyle and Lori Henderson)
CAO/Clerk Brad Knight reviewed his report to Council concerning consent applications C58/20 and C59/20 of Kyle and Lori Henderson. It was noted Council had deferred a recommendation and comments at the last meeting as a number of abutting property owners raised concerns with the applications and in particular conformity of the applications with the Municipality’s Official Plan. It was also noted that a September 16th, 2020 report from Huron County Planner Laura Simpson had also been considered at the last meeting which advised that the proposed severance applications to create three residential parcels in an agricultural area did not meet the policies of the Provincial Policy Statement, the Huron County Plan or the local Huron East Official Plan and recommended the consents be denied.

The CAO advised Council that both Huron East staff and Huron County Planning staff had consistently advised Mr. Henderson that the Official Plan policies did not allow the subdivision of the property into residential lots, but given the uniqueness of the situation with the parcels in the old registered plan of subdivision (two conveyable parcels separated by an unopened road allowance) that support could be given to the reconfiguration of the two existing parcels into two, more usable parcels. It was noted that the reconfiguration would involve the acquisition of the unopened road allowances and Mr. Henderson had attended the December 3rd, 2019 Council meeting to gauge the level of support from Council to close and convey the road allowance to him and also to gauge the level of Council support for the creation of a 3rd lot. The CAO advised Council that Council passed a resolution at that meeting supporting the closing and conveyance of the road allowances and Council did not voice any objection to the creation of a 3rd lot, although Council would take into consideration any agency and public comments. The CAO recommended to Council that because Council had not discouraged the concept of 3 lots, that Council may wish to consider recommending his consent applications for approval, but with very specific conditions to the severances.

Moved by John Lowe and seconded by Dianne Diehl:
That Council acknowledge the September 16th, 2020 report of Huron County Planner Laura Simpson on Consent applications C58/20 and C59/20 by Kyle and Lori Henderson (Part Lot 8, Lots 9-20, 22-33, Plan 296), and concur with the Planner’s recommendation to deny the Consent applications as submitted.

Defeat Motion
Severance
C58/20
C59/20
Henderson

A recorded vote was requested by Councillor Steffler.

Chartrand, Ray	No	Tuckersmith Ward
Dalton, Brenda	Yes	McKillop Ward
Diehl, Dianne	Yes	Grey Ward
Fisher, Robert	Yes	Deputy Mayor
Lowe, John	Yes	Brussels Ward
MacLellan, Bernie	No	Mayor
McGrath, Larry	Abstain	Tuckersmith ward
McLellan, Alvin	Yes	Grey Ward
Onn, Zoey	No	Brussels Ward
Steffler, Joe	No	Seaforth Ward
Wilbee, Gloria	No	McKillop Ward
Motion Defeated		

Moved by John Lowe and seconded by Zoey Onn: Defeat Motion
 That Council acknowledge the September 16th, 2020 report of Huron County Planner Severance
 Laura Simpson on Consent applications C58/20 and C59/20 by Kyle and Lori Henderson C58/20
 (Part Lot 8, Lots 9-20, 22-33, Plan 296), but does not concur with the denial C59/20
 recommendation by Ms. Simpson and Council hereby recommends approval of Henderson
 Consent applications C58/20 and C59/20 subject to the following conditions:

- i) that all 3 properties be rezoned to AG4
- ii) that the owners obtain the Scott, James and William Street unopened road allowances (Plan 296) from the Municipality of Huron East to the satisfaction of the Municipality of Huron East
- iii) that the existing barn on the westerly parcel be removed in entirety or removed to comply with the proposed lot line and decommissioned for livestock purposes to the satisfaction of the Huron East Chief Building Official
- iv) that the earthen liquid manure storage be decommissioned to the satisfaction of the Huron East Chief Building Official
- v) that \$1,500 be paid to the Municipality as cash-in-lieu of parkland.

A recorded vote was requested by Councillor John Lowe.

McLellan, Alvin	No	Grey Ward
MacLellan, Bernie	Yes	Mayor
Dalton, Brenda	No	McKillop Ward
Diehl, Dianne	No	Grey Ward
Wilbee, Gloria	No	McKillop Ward
Steffler, Joe	Yes	Seaforth Ward
Lowe, John	No	Brussels Ward
McGrath, Larry	Abstain	Tuckersmith Ward
Chartrand, Ray	Yes	Tuckersmith Ward
Fisher, Robert	No	Deputy Mayor
Onn, Zoey	Yes	Brussels Ward

Motion Defeated.

Public Works Coordinator – Tabled Motion – Amendment to Water & Sewer Policy 4.08

Public Works Coordinator Barry Mills reviewed his report to Council concerning the motion that was tabled at the last regular meeting to amend the Water & Sewer Billing Procedure/Practice Policy 4.08. Council were advised the proposed amendment was discussed at the Water & Sewer Committee meeting on August 18th. The intent of the policy was to recover municipal costs in those instances where the actions of a property owner or contractor have resulted in an after hours call-in to shut off the water service or where a property owner/contractor have damaged municipal services. He recommended that the tabled motion be defeated by Council and that Council consider a revised motion that stated clearly the intent of the amendment

Moved by Ray Chartrand and seconded by Dianne Diehl: Motion Back
 That Council bring back to the table the motion to amend the Water & Sewer To the Table
 Billing Procedure/Practice Policy 4.08. Carried. Policy 4.08

Moved by Alvin McLellan and seconded by Zoey Onn: Defeat Motion
 That Council accept the recommendation from the Water & Sewer Committee and Policy 4.08
 amend the Water & Sewer Billing Procedure/Practice Policy 4.08 with the following addition:

If municipal staff are called in after hours in the following instances, the Municipality will invoice the property owner/contractor responsible for the damage that required the call-in at the labour and equipment rates in the Huron East Consolidated fee by-law and all materials will be invoiced at cost.

Defeated.

Moved by Joe Steffler and seconded by Gloria Wilbee: Amend
 That the Water & Sewer Billing Procedure/Practice Policy 4.08 be amended as follows: Policy 4.08
Property owners/contractors who damage municipal services shall be invoiced for materials at cost and current labour and equipment rates in the Huron East consolidated fee by-law for the required repairs.

Carried.

Fire Chief – Aerial Platform Truck

Fire Chief Marty Bedard reviewed his report to Council concerning the proposed purchase of a 1995 Spartan Aerial Platform truck from the City of Owen Sound. Chief Bedard advised the current 1980 Aerial Platform truck was a truck that had been used by the City of Stratford that was part of a

trade-in to ResQTech Systems and had been purchased for \$100,000. He noted that the truck is currently 40 years old and has served the Municipality well for 20 years however, it is starting to show its age and unfortunately due to the age, repairs are becoming more frequent and parts are very hard to find.

Chief Bedard advised a former Huron East Firefighter who is currently with the Owen Sound Fire Department contacted him to advise that the City was replacing this truck and the 1995 Spartan Truck would be listed on GovDeals. Chief Bedard advised that both he and District Chief Phillips have inspected the truck and after discussions with the CAO Brad Knight, had submitted a starting bid of \$15,000 on GovDeals which was the only bid received. He advised that this bid did not meet the reserve bid that had been established by the City of Owen Sound and that he had negotiated a price of \$30,000 including miscellaneous equipment on the truck and a conditional Agreement has been prepared for purchase of the vehicle. It was noted the City of Owen Sound intend to have this truck available for pick-up in February 2021 as it is currently in service until the delivery of their new one.

Council were supportive of purchasing the Aerial Platform truck however requested an amendment to the Agreement that any damages between now and delivery of the vehicle would be at the expense of Owen Sound.

Moved by Joe Steffler and seconded by Bob Fisher:
That Council of the Municipality of Huron East authorize the purchase of a 1995 Spartan Aerial Platform Truck from the City of Owen Sound at a cost of \$30,000 plus applicable taxes. Carried.

Authorize
Purchase
Aerial
Platform Truck

Moved by Ray Chartrand and seconded by Dianne Diehl:
That Huron East Council receive the following Reports of Municipal Officers as presented:

Municipal
Officers
Reports

- (1) CAO/Clerk
- (2) Public Works Coordinator
- (3) Fire Chief

Carried.

CORRESPONDENCE

Moved by Zoey Onn and seconded by John Lowe:
That Council accept the resignation of Kathy Sebastian from the Huron East/Brussels Community Development Trust with regret. Carried.

Accept
Resignation
Kathy
Sebastian

Moved by Alvin McLellan and seconded by John Lowe:
That Council defer the financial request of the St. John Ambulance for the Grey Bruce Huron Branch to the 2021 budget deliberations. Carried.

Defer
Financial
Request

Moved by John Lowe and seconded by Alvin McLellan:
That Council of the Municipality of Huron East endorse the resolution of the Town of Amherstburg requesting the Province of Ontario extend the compliance deadline stated in Section 14 (4) of O.Reg 191/11 under the *Accessibility for Ontarians with Disabilities Act* to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1st, 2022; and further that the Province of Ontario consider providing funding support and training resources to meet these compliance standards. Defeated.

Defeat Motion
Resolution of
Town of
Amherstburg

Moved by Brenda Dalton and seconded by Dianne Diehl:
That Council of the Municipality of Huron East endorse the resolution of the Town of Amherstburg requesting the Ontario Government consider amendments to Schedule 11 of Bill 108 to return final authority to municipal Council's to determine what is of cultural heritage value or interest in their communities. Carried.

Endorse
Resolution
Town of
Amherstburg

Moved by Alvin McLellan and seconded by Brenda Dalton:
That Council acknowledge the resignation of David Blaney with regret from the Source Protection Committee representing the Municipalities of Huron East, North Huron and Morris-Turnberry for the Ausable Bayfield Maitland Valley Source Protection Region. Carried.

Resignation
David Blaney
Source
Protection

UNFINISHED BUSINESS**Tabled Motion – Township of Ashfield-Colborne-Wawanosh Resolution**

Moved by Larry McGrath and seconded by Ray Chartrand:
That Council bring back to the table the motion to endorse a resolution from the Township of Ashfield-Colborne-Wawanosh regarding carbon tax on farm use propane and natural gas. Carried.

Motion Back
to the Table
ACW
Resolution

Moved by Alvin McLellan and seconded by Robert Fisher:
That Council of the Municipality of Huron East endorse the resolution of the Township of Ashfield-Colborne-Wawanosh asking the federal government of Canada to support the broad based call to exempt farmers from paying the carbon tax on farm use propane and natural gas. Carried.

Endorse
Resolution
ACW

MUNICIPAL DRAINS**PLANNING****COUNCIL REPORTS****Notice of Motion – Preventing COVID-19 in the Workplace Policy**

Moved by Ray Chartrand and seconded by John Lowe:
That Council of the Municipality of Huron East adopt the Preventing COVID-19 in the Workplace Policy and designate it as Policy 1.23. Carried.

Adopt COVID
Policy 1.23

INFORMATION ITEMS**OTHER BUSINESS****BY-LAWS**

Moved by Larry McGrath and seconded by Ray Chartrand:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Laws 56, 57, 58, 59, 60 and 61 for 2020:

Introduce
By-Laws

By-Law 56-2020 – Actual Costs – Dolmage Municipal Drain 2019
By-Law 57-2020 – Actual Costs – ‘A’ Drain of Dolmage Municipal Drain 2019
By-Law 58-2020 – Actual Costs – ‘C’ Drain of Krauskopf Municipal Drain 2019
By-Law 59-2020 – Authorize Lease Agreement – 35 Oak Street, Seaforth, Festival Hydro Inc.
By-Law 60-2020 – Zoning Amendment – Part Park Lot 9, as RP 22R-1053, Part 3, Plan 194,
Brussels Ward, Henry and Mary Kroecker
By-Law 61-2020 – Confirm Council Proceedings Carried.

Moved by Brenda Dalton and seconded by Joe Steffler:
BE IT HEREBY RESOLVED that By-Law 56-2020, a by-law to provide for the actual costs of the Dolmage Municipal Drain 2019, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Actual Costs
Dolmage Drain

Moved by Alvin McLellan and seconded by Gloria Wilbee:
BE IT HEREBY RESOLVED that By-Law 57 for 2020, a by-law to provide for the actual costs of the ‘A’ Drain of the Dolmage Municipal Drain 2019, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Actual Costs
‘A’ Drain
Dolmage Drain

Moved by Dianne Diehl and seconded by Larry McGrath:
BE IT HEREBY RESOLVED that By-Law 58 for 2020, a by-law to provide for the actual costs of the ‘C’ Drain of the Krauskopf Municipal Drain 2019, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Actual Costs
Krauskopf Drain

Moved by Larry McGrath and seconded by Dianne Diehl:
BE IT HEREBY RESOLVED that By-Law 59 for 2020, a by-law to authorize a lease agreement with Festival Hydro Inc. for 35 Oak Street, Part Block K, Plan 388, Seaforth Ward, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Lease
Agreement
35 Oak St.
Festival
Hydro Inc.

Moved by Zoey Onn and seconded by John Lowe:
BE IT HEREBY RESOLVED that By-Law 60 for 2020, a by-law to amend the zoning on Part Park Lot 9, as RP 22R-1053, Part 3, Plan 194, Brussels Ward, (Henry and Mary Kroeker) be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Re-Zoning
Kroeker

CLOSED SESSION AND REPORTING OUT (Section 239 of the *Municipal Act, 2001*)

CONFIRMATORY BY-LAW

Moved by Alvin McLellan and seconded by Gloria Wilbee:
BE IT HEREBY RESOLVED that By-Law 61 for 2020, a by-law to confirm the proceedings of Council, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Confirm
Proceedings

ADJOURNMENT

Moved by Brenda Dalton and seconded by Ray Chartrand:
The time now being 8:25 p.m.
That the meeting do adjourn until October 20th, 2020 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk