

**MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES**  
**HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO**  
**TUESDAY, June 2<sup>ND</sup>, 2015 – 8:10 P.M.**

**Members Present:** Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler, Councillors Alvin McLellan, John Lowe, Dianne Diehl, David Blaney, Brenda Dalton, Kevin Wilbee, Robert Fisher, Nathan Marshall, Raymond Chartrand and Larry McGrath

**Members Absent:** nil

**Staff Present:** CAO/Clerk, Brad Knight  
 Finance Manager-Treasurer/Deputy Clerk, Paula Michiels  
 Economic Development Officer, Jan Hawley  
 Executive Assistant, Janice Andrews

**CALL TO ORDER**

Mayor MacLellan called the meeting to order at 8:10 p.m.

**DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST**

Councillor Wilbee declared a pecuniary interest on the proposed zoning amendments (By-laws 33-2015 and 34-2015) as the legal firm that he was employed with was involved in both amendments

**DEPUTATIONS**

John McFadzean, Jeff Miller and Joe Seili attended the meeting to hear the proceedings of Council.

**8:00 p.m. Bryan Morton and Herb Jacobs –Brussels Farmers Market**

Bryan Morton attended before Council concerning a development proposal for the former Brussels hotel property. Mr. Morton is proposing to relocate a bank barn to the property to house a farmers' market and bakery on the lower level. He also indicated that he was considering an ornamental green house on the property at some point in the future. Mr. Morton noted that he had purchased the hotel property and in order to proceed with the development he was interested in purchasing an adjacent vacant parking lot owned by the Municipality and inquired how he could acquire the property. The CAO/Clerk advised that the Municipality would have to declare the property surplus and follow the provisions in the property disposal by-law of the Municipality.

Herb Jacobs advised that he was an Engineer and is assisting with some of the design work, layouts and the proposal. It was noted that Robert Ritz Architect has been hired to confirm the plans which are 98% complete for the building.

Senior Planner Claire Dodds advised Council that meetings have been held with Mr. Morton to discuss the preliminary site plan and also outline the planning requirements and technical items that need to be addressed. It was also noted that as the Library is a designated heritage building, a Heritage Impact Assessment would be required.

Mayor McLellan advised that while the development is still in the planning stages, Council is intrigued with the concept and investment in downtown Brussels and thanked Mr. Morton for his investment in Brussels.

**MINUTES OF THE PREVIOUS MEETING**

*Moved* by David Blaney and seconded by Alvin McLellan:  
 That Council of the Municipality of Huron East approve the following  
 Council Meeting Minutes as printed and circulated.

Meeting  
 Minutes

- a) Regular Meeting – May 19<sup>th</sup>, 2015

Carried.

**ACCOUNTS PAYABLE**

## **REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**

### **CAO/Clerk – Licensing of Sidewalk Cafés and Patios**

CAO/Clerk Brad Knight reviewed his report to Council concerning a by-law to license and regulate sidewalk cafés and patios and set licence fees. Council were advised the Administration Committee reviewed the draft by-law and background information at their May 28<sup>th</sup>, 2015 meeting and have recommended Council consider the by-law. The CAO/Clerk suggested the by-law be given two readings to allow further review and attach the appropriate schedules.

Jeff Miller, owner of Jam Jar Pub & Eatery, attended before Council to advise of his desire to have a patio on the side of the building located at 503 Turnberry Street in Brussels. Mr. Miller advised that he has contacted local architect John Rutledge for assistance in addressing occupancy issues with his current facility, but he was interested in having a patio/café as part of his restaurant.

## **COUNCILLORS ISSUES**

Councillor Blaney indicated that as a matter of personal privilege and procedure, that he wished to introduce a resolution pertaining to Agenda item 10.11.2

**Moved** by David Blaney and seconded by Ray Chartrand:  
That as a member of the Municipal Council of Huron East named in the Mayor's letter of May 27, 2015 (item 10.11.2) of the revised agenda of June 2, 2015 meeting of the Council with regard to my vote on a matter before a closed meeting, and that the referenced letter could be construed, by a reasonable individual, as implying financial irresponsibility and a deliberate attempt to suppress information and discussion on my part: Therefore, I believe that the referenced letter and the manner of its public release are a contravention of my rights and privilege as a member of this Council, as I am unable to defend or explain my actions to the public at any time or to Council during an open session as the matter was originally discussed in an 'in camera' session of this Council. Therefore I wish the letter to be returned to the closed session of this day's meeting of Council to allow the matter to be appropriately discussed in its entirety.

Agenda Item  
10.11.2  
Returned to  
Closed Session  
Discussion

Carried.

## **CLOSED SESSION**

**Moved** by Brenda Dalton and seconded by John Lowe:  
That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 8:49 p.m. to go into Closed Session to discuss the following:

Closed Session

- i) 239(2)(c) – proposed or pending acquisition of land (Seaforth entrance sign)
- ii) 239(2)(e) – litigation (Huron East vs. Affordable Housing)
- iii) 239(2)(f) – advice that is subject to solicitor-client privilege (status of Huron East Trusts)
- iv) 239(2)(b) – personal matters about an identifiable individual (Huron East Councillors)

Carried.

**Moved** by John Lowe and seconded by Robert Fisher:  
That Council of the Municipality of Huron East resumes the regular Council meeting at 10:53 p.m. Carried.

Resume Regular  
Council Meeting

**Moved** by Brenda Dalton and seconded by John Lowe:  
That Pursuant to Section 10 of the Procedural By-Law 1-2001, that Council extend the meeting curfew time until 11:30 p.m. Carried.

Extend Meeting  
Curfew Time

**REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS****Finance Manager-Treasurer/Deputy Clerk – Ontario Regulation 284/09 – Budget Matters – Expenses**

Finance Manager-Treasurer/Deputy Clerk Paula Michiels reviewed her report to Council concerning Ontario Regulation 284/09 which requires Municipalities to acknowledge during the budget process the exclusion of the following:

1. Amortization Expenses
2. Post-Employment Benefit Expenses
3. Solid Waste Landfill Closure and Post-Closure Expenses

The regulation recognizes that these are large expenses for Municipalities and allows for them to be excluded from the annual budget as long as a resolution be adopted stating which of these expenses are excluded from the annual operating budget.

***Moved*** by Kevin Wilbee and seconded by Brenda Dalton: Adopt Report  
Ontario  
Regulation 284/09  
That Council of the Municipality of Huron East adopt the report on Ontario Regulation 284/09 regarding excluded expenses of the 2015 Budget. Carried.

**Finance Manager-Treasurer/Deputy Clerk – Tuckersmith Day Nursery Wage Enhancement**

Finance Manager-Treasurer/Deputy Clerk Paula Michiels reviewed her report to Council concerning the Child Care Wage Enhancement provided by the Province. It was noted that the wage enhancement is dependent on continued funding from the Province and if the funding is discontinued there is no obligation for the Municipality to continue to provide the wage enhancement to eligible Tuckersmith Day Nursery staff.

***Moved*** by Kevin Wilbee and seconded by Dianne Diehl: Approve  
Provincial Child  
Care Wage  
Enhancement  
That Council of the Municipality of Huron East approve the implementation of the Provincial Child Care Wage Enhancement for eligible Tuckersmith Day Nursery staff effective January 1<sup>st</sup>, 2015. Carried.

**Pubic Works Coordinator – Asphalt Paving – Browntown Road and Moncrieff Road**

The report from the Public Works Coordinator concerning the tenders received for asphalt paving of Front Road, Browntown Road and Moncrieff Road was received by Council. Tender prices were received and opened in the presence of Councillor Larry McGrath, Finance Manager-Treasurer/Deputy Clerk Paula Michiels and Public Works Coordinator Barry Mills. The tender results were as follows:

Armstrong Paving and Materials Group Ltd.	\$551,634.84
Coco Paving Inc.	558,292.00
Lavis Contracting Co. Limited	486,858.25

***Moved*** by Alvin McLellan and seconded by Brenda Dalton: Accept Tender  
HE-06-2015  
Asphalt Paving  
That Council of the Municipality of Huron East accept the tender of Lavis Contracting Co. Ltd. in the amount of \$486,858.25 plus applicable taxes for Contract HE-06-2015 – asphalt paving of Front Road, Browntown Road and Moncrieff Road. Carried.

**CAO/Clerk – Community Infrastructure Program – CIP 150**

CAO/Clerk Brad Knight reviewed his report to Council concerning the Canada 150 Community Infrastructure Program (CIP 150). It was noted that an overview of the CIP 150 grant announcement was provided at the last meeting along with details of a potential grant application for renovations/upgrades of the Brussels Morris and Grey Community Centre. Council were advised that letters of support had been received from the Brussels Lions, Brussels Optimists and Blyth-Brussels Minor Hockey with a general acknowledgement from all groups that if the municipal support was similar to a previous expansion project at the Seaforth arena, that there would be a significant local fundraising component of the project

***Moved*** by David Blaney and seconded by John Lowe: Submit BMGCC  
Reno/Expansion  
Project  
Canada CIP 150  
Grant Program  
That the Municipality of Huron East submit the \$1.56 million renovation/expansion of the Brussels Morris and Grey Community Centre for consideration to the Canada 150 Community Infrastructure Program with a requested funding amount of \$600,000. Carried.

***Moved*** by Robert Fisher and seconded by John Lowe: Receive  
Reports  
That Council of the Municipality of Huron East receive the following reports of municipal officers as presented:

- a) Finance Manager-Treasurer/Deputy Clerk
- b) Public Works Coordinator
- c) CAO/Clerk

Carried.

**CORRESPONDENCE**

**Moved** by Dianne Diehl and seconded by John Lowe:  
That Council note and file correspondence received from members of Huron East Against Turbines (HEAT) Committee concerning the lack of sufficient assessment on wind turbines. Carried.

Note and File  
Correspondence  
HEAT

**Moved** by Brenda Dalton and seconded by Kevin Wilbee:  
That Council of the Municipality of Huron East endorse the resolution of the Municipality of Trent Lakes requesting the Ontario Government amend the Provincial Policy Statement and the Aggregate Resources Act to require aggregate extraction proponents to demonstrate the need for the particular supply of resource proposed for extraction. Carried.

Endorse  
Resolution  
Municipality of  
Trent Lakes

**Moved** by Alvin McLellan and seconded by Dianne Diehl:  
That the Ethel Minor Ball Committee, being a committee of the Municipality of Huron East, be authorized to apply for a special occasion permit for a slo-pitch ball tournament being held on July 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>, 2015 with all proceeds being designated towards the Ethel Minor Ball program and park improvements. Carried.

Ethel Minor  
Ball Committee  
Slo-Pitch  
Tournament

**UNFINISHED BUSINESS****NEW BUSINESS**

**Moved** by Kevin Wilbee and seconded by Nathan Marshall:  
WHEREAS French Immersion services and classes provided by the Avon Maitland District School Board are only provided at locations in Stratford;  
AND WHEREAS, members of the community have requested that the Avon Maitland District School Board extend French Immersion services and classes into locations within Huron County;  
NOW THEREFORE be it hereby resolved that the Municipality of Huron East strongly encourage the Avon Maitland District School Board to consider the provision of French Immersion services and classes to the residents of Huron County and that the position of Council be expressed to Ted Doherty, Director of Education of the Avon Maitland District School Board;  
AND FURTHER be it hereby resolved that this resolution be forwarded to all lower tier municipalities in Huron County for their endorsement and support.  
Carried.

French Immersion  
Services and  
Classes  
Avon Maitland  
School Board

**MUNICIPAL DRAINS****TILE DRAINAGE****FINANCIAL REPORT****PLANNING****INFORMATION ITEMS**

**Moved** by Nathan Marshall and seconded by Raymond Chartrand:  
That Huron East Council receive the following Board and Committee Meeting Minutes as submitted:

Board/Committee  
Meeting Minutes

- 1) Huron East Water & Sewer Committee – May 12<sup>th</sup>, 2015
- 2) Seaforth & District Community Centres Management Committee – May 14<sup>th</sup>, 2015
- 3) Brussels Morris & Grey Board of Recreation Management – May 13<sup>th</sup>, 2015

Carried.

**BY-LAWS**

**Moved** by Larry McGrath and seconded by Robert Fisher:  
BE IT HEREBY RESOLVED that leave be given to introduce  
By-Laws No. 33, 34, 35 and 36 for 2015.

Introduce  
By-Laws

By-Law 33-2015 – Rezoning – Lot 5, Concession 15, Grey Ward, Fritz  
By-Law 34-2015 – Rezoning – Part Lots 2 and 3, Concession 11, McKillop Ward,  
Schoonderwoerd  
By-Law 35-2015 – Regulation and Licence fees for Sidewalk Patios and Cafés  
By-Law 36-2015 – Confirm Council Proceedings

Carried.

**Moved** by Alvin McLellan and seconded by Brenda Dalton:  
BE IT HEREBY RESOLVED that By-Law 33 for 2015, a by-law to authorize  
a zoning amendment on Lot 5, Concession 15, Grey 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.

Zoning  
Lot 5, Con. 15  
Grey Ward  
Fritz

**Moved** by Alvin McLellan and seconded by Brenda Dalton:  
BE IT HEREBY RESOLVED that By-Law 34 for 2015, a bylaw to authorize a  
zoning amendment on Part Lots 2 and 3, Concession 11, McKillop 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. Defeated.

Zoning  
Pt. Lots 2-3  
Con. 11  
McKillop Ward  
Schoonderwoerd

**Moved** by David Blaney and seconded by John Lowe:  
BE IT HEREBY RESOLVED that By-Law 35 for 2015, a by-law to adopt  
regulations and licence fees for sidewalk patios and cafés be given first and  
second readings and provisionally adopted this 2<sup>nd</sup> day of June, 2015.  
Carried.

1<sup>st</sup> & 2<sup>nd</sup> readings  
Sidewalk Patios  
and Cafés

**Moved** by Raymond Chartrand and seconded by Nathan Marshall:  
BE IT HEREBY RESOLVED that By-Law 36 for 2015, 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 Council  
Proceedings

**ADJOURNMENT**

**Moved** by Joe Steffler and seconded by John Lowe:  
The time now being 11:32 p.m.  
That the meeting do now adjourn until June 16<sup>th</sup>, 2015 at 7:00 p.m. Carried.

Adjournment

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Bernie MacLellan, Mayor

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Brad Knight, CAO/Clerk