



TOWNSHIP OF WILMOT

Council Meeting Minutes

Monday, June 26, 2017

Regular Council Meeting

Council Chambers

7:00 P.M.

Members Present: Mayor L. Armstrong, Councillors A. Junker, P. Roe, B. Fisher, J. Gerber and M. Murray

Staff Present: Chief Administrative Officer G. Whittington, Director of Clerk's Services B. McLeod, Deputy Clerk D. Mittelholtz, Director of Public Works J. Molenhuis, Director of Facilities and Recreation Services S. Nancekivell, Director of Development Services H. O'Krafka, Fire Chief R. Leeson, Director of Finance P. Kelly, Manager of Planning/EDO A. Martin, Engineering Technician A. Duncan, Manager of Revenue A. Romany, Senior MLEO D. Wallace, MLEO K. Way

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION**
- 3. MOMENT OF SILENCE**
- 4. ADDITIONS TO THE AGENDA**

- 4.1 REPORTS – CLERK'S – REPORT NO. CL 2017-16 – Petition from Agcom Inc. (Stewart Snyder), for Municipal Drainage Works, Lot 18, Concession NBR, Township of Wilmot**

Resolution No. 2017-113

Moved by: A. Junker

Seconded by: M. Murray

THAT Item 9.2.4 be added to the agenda under REPORTS – CLERK’S – REPORT NO. CL 2017-16 – Petition from Agcom Inc. (Stewart Snyder), for Municipal Drainage Works, Lot 18, Concession NBR, Township of Wilmot.

CARRIED.

5. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

None disclosed.

6. MINUTES OF PREVIOUS MEETINGS

6.1 Council Meeting Minutes May 29, 2017.

Resolution No. 2017-114

Moved by: J. Gerber

Seconded by: A. Junker

THAT the minutes of the following meetings be adopted as presented:

Council Meeting May 29, 2017.

CARRIED.

Mayor L. Armstrong welcomed two new staff members, Rod Leeson and Jeff Molenhuis as the new Fire Chief and Director of Public Works, respectively. He also bid farewell to Kevin Way, Municipal Law Enforcement Officer, and thanked him for many years of dedicated service.

7. PUBLIC MEETINGS

8. PRESENTATIONS/DELEGATIONS

8.1 BIG Flag Presentation

Mayor L. Armstrong presented Miss. Sabrina Hallman with the BIG Canadian Flag. Miss Hallman was accompanied by her mother and siblings.

9. REPORTS**9.1 CAO – no reports****9.2 CLERK'S SERVICES****9.2.1 REPORT NO. CL 2017-10****Draft of Proposed New By-law Regarding Dog Designations,
Establishment of Appeal Committee and Appeal Process****Resolution No. 2017-115****Moved by: M. Murray****Seconded by: B. Fisher**

THAT Report No. CL2017-10, dated June 26, 2017, prepared by the Director of Clerk's Services and the Senior MLEO, outlining the proposed inclusion of dog designations and the establishment of an Appeal Committee/Process to be incorporated into the Township's Regulatory Dog Control By-law, be received for information,

AND FURTHER that staff garner public feedback on the draft changes and return to Council with the key findings of the community's input and final recommendations.

CARRIED.

The Director of Clerk's Services highlighted the report.

The Director of Clerk's Services confirmed for Councillor B. Fisher that staff can investigate wireless electronic containment devices for their inclusion in the By-law.

In response to an inquiry from Councillor B. Fisher, the Senior MLEO clarified that the By-law and procedures for enforcement would be reflective of the nature of the aggression from the dogs, such as attacking behaviour versus an actual bite.

The Director of Clerk's Services explained for Councillor P. Roe that the purpose of signs indicating electronic containment devices was for the reassurance of the public, so they may understand that the dog is being kept on the property by such a device and is less likely to leave the property or approach them.

The Senior MLEO advised Councillor P. Roe that the By-law does require the signs to be posted but there is no Set Fine for the offence. He further noted that Officers would only respond on a complaint basis if a sign is not posted.

The Director of Clerk's Services advised that this By-law is a draft and the requirement can be removed if Council directs staff to do so. She added that such a requirement would also need to be consistent with the Township of Wilmot Sign By-law.

Councillor A. Junker suggested that the public input process could include questions regarding the signs and that he, as a dog owner, would be in favour of the signs from a personal liability point of view

Mayor L. Armstrong advised that he sees the signs as a method of reassuring the public.

Councillor J. Gerber suggested that requiring the signs be posted at all entryways may be onerous. He further commented that if the absence of signage creates a concern, it would be logical that the Township requires the signs be installed and a fine be set if it is not posted.

9.2.2 REPORT NO. CL 2017-14

Conveyance of Municipal Property

Former Wilmot Community Pool Facility

Located at 439 Waterloo Street, New Hamburg

Resolution No. 2017-116

Moved by: M. Murray

Seconded by: B. Fisher

THAT the municipal property legally described as Part Lot 1, Plan 885, Wilmot, Being Part 2 on 58R-1153 which has also been described as Part 3 on 58R-9275, Township of Wilmot, be conveyed to the Waterloo Region District School Board pursuant to the terms of the Land Transfer and Restoration Agreement and further;

THAT the Mayor and Director of Clerk's Services be authorized to execute all associated documentation.

CARRIED.

Mayor L. Armstrong advised that in accordance with Township Policy regarding the Disposition of Land, this public meeting is being held to hear any person who wish to speak to the land disposition and conveyance of municipally owned property known as Part Lot 1, Plan 885, Wilmot, Being Part 2 on 58R-1153 which has also been described as Part 3 on 58R-9275, Township of Wilmot, Regional Municipality of Waterloo

Mayor L. Armstrong declared the public meeting to be open.

The Director of Clerk's Services highlighted the report.

Mayor L. Armstrong asked if any person present wished to address Council on this matter.

Councillor J. Gerber noted his appreciation at seeing this matter coming forward as the property was a topic of discussion during the Recreation Master Plan process.

Mayor L. Armstrong asked a second and final time if any person wished to address Council on this matter and in the absence of any comments declared the public meeting closed.

9.2.3 REPORT NO. CL 2017-15

Noise By-law Exemptions

Ingrid and Mark Drinkwalter and

New Hamburg'er and Beer Festival

Resolution No. 2017-117

Moved by: P. Roe

Seconded by: M. Murray

THAT Council approve a Noise By-Law Exemption for Ingrid and Mark Drinkwalter on July 29, 2017 from 7:00 p.m. to 12:00 midnight for a private event located on their property at 1323A Queen Street, Unit 39, New Dundee;

AND FURTHER, THAT Council approve a Noise By-law Exemption for the New Hamburg'er and Beer Festival on September 23, 2017 from 5:30 p.m. to 11:00 p.m. for a public event occurring on Peel Street and Mill Street, north of Huron Street, New Hamburg.

CARRIED.

Deputy Clerk highlighted the report.

9.2.4 REPORT NO. CL 2017-16

**Petition from Agcom Inc. (Stewart Snyder)
for Municipal Drainage Works
Lot 18, Concession NBR
Township of Wilmot**

Resolution No. 2017-118

Moved by: M. Murray

Seconded by: A. Junker

THAT the Township of Wilmot accept the Petition for Municipal Drainage Works received from Agcom Inc. (Stewart Snyder) for south part of Lot 18, Concession North of Bleams Road, Township of Wilmot and further;

THAT the Clerk be authorized to proceed accordingly under The Drainage Act.

CARRIED.

9.3 FINANCE

9.3.1 REPORT NO. FIN 2017-26

2017 Final Tax Levy

Resolution No. 2017-119

Moved by: B. Fisher

Seconded by: A. Junker

THAT report FIN 2017-26 prepared by the Director of Finance, regarding the 2017 Final Tax Levy By-law be received.

CARRIED.

The Director of Finance highlighted the report.

9.4 PUBLIC WORKS

9.4.1 REPORT NO. PW-2017-11

2017 Sidewalk Program

Resolution No. 2017-120

Moved by: P. Roe

Seconded by: M. Murray

THAT the tender received from Chad Hartman Construction , to complete the 2017 Sidewalk Program, with a subtotal excluding HST of \$36,156.00, be accepted.

CARRIED.

The Engineering Technician highlighted the report

9.4.2 REPORT NO. PW-2017-12

2017 Supply of Hot Mix Asphalt

Resolution No. 2017-121

Moved by: A. Junker

Seconded by: P. Roe

THAT the tender received from Coco Paving Inc. to complete the 2017 Supply of Hot Mix Asphalt, with a subtotal excluding HST of \$49,775.00, be accepted.

CARRIED.

The Engineering Technician highlighted the report

Councillor P. Roe commended staff on obtaining bids that were lower than the budgeted amounts.

9.4.3 REPORT NO. PW-2017-13

New Hamburg'er and Beer Festival (Road Closures)

Resolution No. 2017-122

Moved by: M. Murray

Seconded by: J. Gerber

THAT the recommendations for road closures as per the attached sketch of report PW-2017-13 to support the newly established “New Hamburg’er and Beer Festival,” in downtown New Hamburg be approved.

CARRIED.

The Engineering Technician highlighted the report.

9.5 DEVELOPMENT SERVICES

9.5.1 REPORT NO. DS 2017-10

Proposed Official Plan Amendments (2017):

1. Proposed OPA 9 - Conformity Review

2. Proposed OPA 10 - Settlement Boundary Rationalization Exercise

Resolution No. 2017-123

Moved by: M. Murray

Seconded by: A. Junker

THAT Council direct staff to:

1. Give Notice of a Special Meeting of Council, open to the Public, to discuss the revisions that may be required to bring the Township Official Plan into conformity with Provincial plans and to discuss the settlement boundary rationalization exercise; and,
2. Circulate Report DS 2017-10 dated June 26, 2017 to the Region of Waterloo and prescribed public bodies with respect to the revisions that may be required.

CARRIED.

The Director of Development Services highlighted the report and the process going forward.

The Director of Development Services clarified for Councillor B. Fisher that the green areas on the maps represented areas that have restrictions with regards to development.

In response to Councillor B. Fisher, the Director of Development Services advised that the Province does not have a requirement for amounts of greenspace but that there is a

maximum of greenspace the Township can require from a development. He added that the Directors of Public Works and Facilities and Recreation Services are consulted on developments with regards to greenspace.

The Director of Development Services clarified for Councillor P. Roe that the area identified north of Highway 7&8 and south of the railway was not identified as Country Side Line due to the identification of the area as a potential GO Station. He added that if the GO Station does not occur, the lands could be designated as future employment lands.

The Director of Development Services advised Council that the circulation of this document was completed to provide Council ample time to review it prior to the public meeting in August. He added that this process is being done in discussion with the Region as a result of a Regional policy allowing lower tier municipalities to undertake this rationalization exercise.

9.6 FACILITIES AND RECREATION SERVICES – no reports

9.7 FIRE – no reports

9.8 CASTLE KILBRIDE – no report

10. CORRESPONDENCE

10.1 Grand River Conservation Authority - GRCA Current, June 2017

Resolution No. 2017-124

Moved by: J. Gerber

Seconded by: B. Fisher

THAT Correspondence Item No. 10.1 be received for information.

CARRIED.

11. BY-LAWS

11.1 By-law No. 2017-27 – Being a By-Law to Establish the 2017 Final Tax Levy, the 2017 Rates of Taxation and to Provide for the Payment of Taxes by Instalments

11.3 By-law No. 2017-28 – By-law to Appoint a Fire Chief for the Township of Wilmot – Rod Leeson

Resolution No. 2017-125

Moved by: M. Murray

Seconded by: J. Gerber

THAT By-law Nos. 2017-27 and 2017-28 be read a first, second and third time and finally passed in Open Council.

CARRIED.

12. NOTICE OF MOTIONS

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

- 13.1 Councillor J. Gerber reminded Council of the statue unveiling and Castle Concert occurring on Thursday June 29, 2017 starting at 6:00 pm.

Mayor L. Armstrong added that the performers are the Shananigans and that a newly restored fire truck from the Wilmot Heritage Fire Brigades will also be unveiled.

- 13.2 The CAO confirmed that the City of Waterloo has approved the Automatic Aid Agreement. He advised that the Fire Chiefs involved will meet and that a follow up report will occur that identifies the properties the City of Waterloo feels they can provide service to while maintaining service to their own municipality. He added that further discussions and training elements will occur along with the discussion of policies and procedures.

Councillor P. Roe noted that he was glad to see this step being taken and will provide an update to residents who have inquired.

Mayor L. Armstrong reiterated that the determination of which properties are included in the agreement is at the discretion of the City of Waterloo.

- 13.3 Councillor P. Roe asked Council if a unified response would be preferred with regards to the survey received from the Association of Municipalities of Ontario concerning a 1% proposed increase in HST.

Mayor L. Armstrong clarified that the intention of the proposed increase was to aid in funding municipal infrastructure projects.

Councillor J. Gerber noted that nothing in the recommendation indicated how the funds would be allocated back to the municipalities.

Mayor L. Armstrong commented that the information received is encouraging municipalities to support the proposed increase.

Councillor J. Gerber stated that the correspondence is asking Members of Council to respond as individuals but that a group response would be appropriate as well. He requested that more information be sought prior to submitting a response.

Councillor P. Roe concurred that more information is required.

Mayor L. Armstrong advised that Council can debate how best to respond and that AMO or the Province can be asked to provide additional details including what assurance municipalities have that they will receive a proportionate share of the funds. He raised his concerns that infrastructure funding often favours larger population municipalities. He further advised that staff prepare correspondence to seek more clarification on this matter.

13.4 All Council Meeting

Resolution No. 2017-126

Moved by: P. Roe

Seconded by: A. Junker

THAT Township of Wilmot Council attend the All Council Meeting scheduled for Wednesday, June 28th, 2017 at 3:00 p.m. at the Waterloo Region Council Chambers located at 150 Frederick Street in Kitchener.

CARRIED.

- 13.5 Mayor L. Armstrong announced that Greg Mudford from the Township's Public Works Department won first place at the Regional Truck Rodeo and will be proceeding on to the Ontario Competition. The Director of Public was asked to pass along Council's congratulations. The Engineering Technician added that Mike Johnson finished tenth place in the competition.

14. BUSINESS ARISING FROM CLOSED SESSION

15. CONFIRMATORY BY-LAW

15.1 By-law No. 2017-29

Resolution No. 2017-127

Moved by: B. Fisher

Seconded by: M. Murray

THAT By-law No. 2017-29 to Confirm the Proceedings of Council at its Meeting held on June 26, 2017 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

16. ADJOURNMENT (8:08 P.M.)

Resolution No. 2017-128

Moved by: P. Roe

Seconded by: M. Murray

THAT we do now adjourn to meet again at the call of the Mayor.

CARRIED.

Mayor

Clerk