



TOWNSHIP OF WILMOT

Council Meeting Minutes

Monday, February 10, 2019

Closed Council Meeting

Wilmot Community Room

5:45P.M.

Regular Council Meeting

Council Chambers

7:00 P.M.

Members Present: Mayor L. Armstrong, Councillors A. Hallman, C. Gordijk, B. Fisher, J. Gerber and J. Pfenning

Staff Present: Chief Administrative Officer G. Whittington, Director of Information and Legislative Services D. Mittelholtz, Director of Public Works and Engineering J. Molenhuis, Director of Facilities and Recreation Services S. Nancekivell, Director of Development Services H. O'Krafka, Fire Chief R. Leeson, Director of Finance / Treasurer P. Kelly, Director / Curator Castle Kilbride T. Loch, Manager of Information and Legislative Services T. Murray, Manager of Planning A. Martin, Recreation Programmer L. Smith

1. MOTION TO CONVENE INTO CLOSED SESSION

Resolution No. 2020-11

Moved by: Councillor J. Pfenning

Seconded by: Councillor B. Fisher

THAT a Closed Meeting of Council be held on Monday, February 10, 2020 at 5:45 p.m. in accordance with Section 239(2), (k) for the purposes of:

- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality

CARRIED.

2. MOTION TO RECONVENE IN OPEN SESSION

Resolution No. 2020-12

Moved by: Councillor J. Pfenning

Seconded by: Councillor A. Hallman

THAT Council reconvene in open session.

CARRIED.

3. MOMENT OF SILENCE

4. LAND ACKNOWLEDGEMENT

5. ADDITIONS TO THE AGENDA

**6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL
CONFLICT OF INTEREST ACT**

Councillor C. Gordijk advised that she will not be voting on the minutes from the January 13, 2020 meeting as she had a conflict of interest and was absent for the majority of the meeting.

7. MINUTES OF PREVIOUS MEETINGS

7.1 Council Meeting Minutes January 13, 2020

Resolution No. 2020-13

Moved by: Councillor J. Pfenning Seconded by: Councillor A. Hallman

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

Council Meeting January 13, 2020.

CARRIED. AS AMENDED.

Councillor B. Fisher noted that the Mover and Seconder were missing from the Motion to Convene into Closed Session and the Motion to Reconvene in Open Session.

8. PUBLIC MEETINGS**8.1 REPORT NO. DS 2020-005****Zone Change Application 01/20****Mike Roth / Philip Peppiatt & Crystal Oliveria****236 Wilmot Street, New Hamburg****Resolution No. 2020-14****Moved by: Councillor C. Gordijk****Seconded by: Councillor A. Hallman**

THAT Council approve Zone Change Application 01/20 made by Mike Roth and Philip Peppiatt & Crystal Oliveira affecting 236 Wilmot Street to rezone a portion of the subject property from Zone 11 (Open Space) and Zone 3f (Residential) to Zone 3f(H) and to reduce the front yard setback from 7.6m to 3.5m.

CARRIED.

Mayor Armstrong declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Local Planning Appeal Tribunal, the Tribunal has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor Armstrong stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website along with email addresses, if provided.

The Manager of Planning / EDO outlined the report.

Mayor L. Armstrong asked 3 times if anyone else wished to address Council on this matter. There were none and the public meeting was declared closed.

9. PRESENTATIONS/DELEGATIONS**9.1 Youth Action Council**

Ms. L. Smith and the members of the Youth Action Council provided a presentation on the programming that is anticipated for the 2020 calendar year.

Councillor A. Hallman thanked the youth for their presentation and advised that she would like to partner with them for the art project, noting there are opportunities for displays during the Canada Day celebrations.

Councillor J. Gerber also thanked them for their presentation, advising that it is always a highlight when YAC presents.

10. CONSENT AGENDA

- 10.1 REPORT NO. PW 2020-03 (removed from Consent Agenda)
4th Quarter 2019 Operations Activity Report
October – December 2019**

- 10.2 REPORT NO. FIN 2020-05 (Deferred from January 13, 2020) (removed from Consent Agenda)
Investing in Canadian Infrastructure Program (ICIP) - Intake 3**

- 10.3 REPORT NO. FRS 2020-003(removed from Consent Agenda)
Facilities and Recreation Services Quarterly Activity Report**

- 10.4 REPORT NO. DS 2020-003
2019 Building Code Act Enforcement Cost Summary**

- 10.5 REPORT NO. FIN 2020-06 (Deferred from January 13, 2020)
Bill 138 Plan to Build Ontario Together Act**

- 10.6 REPORT NO. FIN 2020-14
Rural Economic Development Funding**

- 10.7 REPORT NO. FD 2020-01
Quarterly Report**

- 10.8 REPORT NO. CK 2020-01(removed from Consent Agenda)
Quarterly Activity Report**

Resolution No. 2020-15**Moved by: Councillor B. Fisher****Seconded by: Councillor J. Pfenning**

THAT Report Nos. DS 2020-003, FIN 2020-06, FIN 2020-14 and FD 2020-01 be approved.

CARRIED.

11. REPORTS**11.1 CLERKS****11.1.1 REPORT NO. ILS 2020-001 (Deferred from January 13, 2020)****Notice of Proposed Procedural By-law Amendments****Resolution No. 2020-16****Moved by: Councillor J. Gerber****Seconded by: Councillor B. Fisher**

THAT the Draft Procedural By-law be received for information; and,

THAT the Director of Information and Legislative Services proceed with a Public Meeting at the Regular Council Meeting on February 24, 2020.

CARRIED.

The Director of Information and Legislative Services outlined the report.

Councillor C. Gordijk thanked staff for the report and noted her continuing concerns on religious representation at the Inaugural Council Meetings. She requested the township seek legal advice on this matter and asked staff proceed to receive a quote on the lawyer fees. *(Councillor C. Gordijk clarified at the February 24, 2020 Council Meeting that the request for legal advice was for a review of the draft Procedural By-law, not religious representation or the Inaugural Council Meetings exclusively)*

The Director of Information and Legislative Services acknowledged the comments, historically members of the religious community have been providing those words, but noted that the council elect may decided to go with past political leaders or other non-religious community leaders to provide these words. She noted this is what the

Township has done historically it doesn't mean that has to be done moving forward and the next council can make those decisions.

Councillor J. Gerber agreed that the By-law provides future Councils the ability to flavour the Inaugural as they see fit and a legal opinion may not be required. He acknowledged that a diverse faith group has been invited in the past.

Councillor A. Hallman noted that on the Inaugural meeting, the current Council did not have the option to participate and she noted that Council has a responsibility to the next Council. Councillor A. Hallman agreed that there is no harm in asking for a quote.

Councillor J. Gerber thinks it's asking staff to perform work that is redundant and likely to not surface again.

Councillor C. Gordijk noted this has nothing to do with prayer, rather to keep religion out of Council Chambers, and if needed, have a separate ceremony downstairs for prayer.

The Director of Information and Legislative Services / Clerk noted that the proposed amended Procedural By-law says all incoming members of Council shall set the agenda for the Inaugural.

Councillor C. Gordijk noted that if an incoming member of Council is of Muslim faith, they would not be able to participate in the Inaugural.

Councillor J. Gerber noted that this Council passed a resolution opposing the actions by the Quebec Government regarding censoring religion and that this could be seen as the same action.

Councillor J. Pfenning noted that including a religious ceremony would not be inclusive to all.

Mayor L. Armstrong suggested that Council vote on accepting the draft for discussion at the Public Meeting on February 24, 2020.

Councillor C. Gordijk moved that the report could be deferred until a legal opinion is obtained. The Motion was not voted on which is being noted as a procedural error.

Resolution No. 2020-17

Moved By: Councillor C. Gordijk Seconded By: Councillor A. Hallman

THAT Report No. ILS 2020-01 be deferred until a legal opinion is obtained.

MOTION LOST.

11.1.2 REPORT NO. ILS 2020-05

Establishment and Maintenance of Governance Policy and Administrative Directives Framework

Resolution No. 2020-18

Moved by: Councillor J. Pfenning Seconded by: Councillor B. Fisher

THAT Report ISL 2020-05, 'Establishment and Maintenance of Governance Policy and Administrative Framework be received; and,

THAT Governance Policy GP-001, as set out in Attachment "A" be approved.

CARRIED.

The Manager of Information and Legislative Services / Deputy Clerk outlined the report.

Councillor J. Pfenning asked for clarification surrounding the decision making between a Governance Policy vs. an Administrative Directive. The Manager of Information and Legislative Services / Deputy Clerk advised that staff will look at the existing Corporate Policy Manual and revise each policy to be under the appropriate document, current policies that have been approved by Council will likely be converted to Governance Policy and current policies approved at the Senior Management level will be converted to Administrative Directives.

11.2 FINANCIAL SERVICES

11.2.1 REPORT NO. FIN 2020-11

2020 Municipal Budget

Resolution No. 2020-19

Moved by: Councillor C. Gordijk Seconded by: Councillor J. Gerber

That the 2020 Municipal Budget, as prepared by the Director of Finance / Treasurer and Manager of Finance / Deputy Treasurer, be endorsed and recommended to Council on February 10, 2020.

CARRIED.

The Director of Finance / Treasurer highlighted the report and provided an overview of the budget through a slide deck.

Councillor A. Hallman thanked staff for the efforts put into the 2020 Budget and asked that the presentation be forwarded to allow for distribution to the community.

Councillor B. Fisher thanked staff for a job well done, noting that each year presents new challenges and staff continue to be creative and make things happen.

11.2.2 REPORT NO. FIN 2020-12

HR Management Administrative Directive, and Governance Policy for Hiring Personnel Recommendation

Resolution No. 2020-20

Moved by: Councillor J. Pfenning Seconded by: Councillor A. Hallman

THAT Council authorize the repeal of By-law 2001-61, being the Bylaw to Adopt an Employee Policy Manual and endorse Governance Policy #??? Being a policy for the Hiring of Employees; and further,

THAT Council receive the Administrative Directive on Human Resources Management, as approved by the Senior Management Team, for information purposes.

CARRIED.

The Director of Finance / Treasurer outlined the report.

Councillor B. Fisher advised he was pleased to see this come forward.

Councillor J. Pfenning asked for clarification regarding the numbering of the Governance Policy and it was noted that with the approval of the Governance Policy and Administrative Directive Framework, staff will begin to assign numbering.

Councillor J. Pfenning noted that she was please to see this update and advised that she would like to see Human Resources, in the future, be recognized and its independence reporting to the highest level in the organization. The Director of Finance / Treasurer noted that at this time the Human Resource function is progressing well as part of the Corporate Services Department, as the organization grows there may be adjustments; however, at this time it will remain.

11.2.3 REPORT NO. FIN 2020-05 (Deferred from January 13, 2020) (Moved from Consent Agenda)

Investing in Canadian Infrastructure Program (ICIP) - Intake 3

Resolution No. 2020-21

Moved by: Councillor C. Gordijk Seconded by: Councillor J. Pfenning

THAT Report FIN 2020-05, regarding the Investing in Canadian Infrastructure Program (ICIP) - Intake 3 application, be received for information purposes.

CARRIED.

11.3 PUBLIC WORKS AND ENGINEERING

11.3.1 REPORT NO. PW 2020-02

**Water Supply Access Agreements with
Township of Perth East
Township of East Zorra-Tavistock**

Resolution No. 2020-22

Moved by: Councillor C. Gordijk Seconded by: Councillor J. Pfenning

THAT the Water Supply Access Agreement with the Township of Perth East and the Township of East Zorra-Tavistock, be received for information;

THAT the Mayor and Clerk be authorized to execute the agreements.

CARRIED.

The Director of Public Work and Engineering outlined the report.

Councillor C. Gordijk asked for clarification on the maps and the Director of Public Works and Engineering noted those are the hydrants that are closest for their use.

11.3.2 REPORT NO. PW 2020-03 (Moved from Consent Agenda)

4th Quarter 2019 Operations Activity Report

October – December 2019

Resolution No. 2020-23**Moved by: Councillor B. Fisher****Seconded by: Councillor C. Gordijk**

THAT the Public Works Operations 4th Quarter Activity Report for the months of October, November and December 2019 be received for information.

CARRIED.

Councillor A. Hallman asked if the total was known for the vehicle damage payout and the Director of Public Works and Engineering noted that the claim is still currently in process.

Councillor A. Hallman asked if there were any further details surrounding the power outage in New Dundee and was advised that the outages are related to Regional infrastructure.

11.4 FACILITIES AND RECREATION SERVICES**11.4.1 REPORT NO. FRS 2020-002****Recreation Programming Update****Resolution No. 2020-24****Moved by: Councillor A. Hallman****Seconded by: Councillor C. Gordijk**

That Report FRS 2020-002 be received for information.

CARRIED.

The Recreation Programmer outlined the report relative to recreation and programming.

Councillor B. Fisher asked if staff have reached out to other municipalities and the Recreation Programmer advised that she participates in an Area Townships Group that discusses current trends, programming options and partnership opportunities.

Councillor J. Pfenning asked when the survey noted in the report was done and it was advised that it was complete in 2018 and another is planned for this year as part of the Co-op student program.

Councillor J. Pfenning asked how much interest the My Safe Life program has and the Recreation Programmer advised that the current capacity is 18 students at a time and

there is usually a waiting list. Councillor J. Pfenning suggested that collaboration opportunities with local churches and Service Clubs may increase capacity, the Recreation Programmer acknowledged the suggestion while advised that there is a capacity limit with staffing.

11.4.2 REPORT NO. FRS 2020-003(Moved from Consent Agenda)

Facilities and Recreation Services Quarterly Activity Report

Resolution No. 2020-25

Moved by: Councillor J. Gerber Seconded by: Councillor A. Hallman

That the Facilities & Recreation Services Activity Reports for the fourth quarter of 2019 be received for information.

CARRIED.

Councillor A Hallman noted that the staff numbers reflected on Page 296 highlight staff accomplishments and asked when the last new hire was and the Director of Facilities and Recreation Services advised it was 3 or 4 years ago.

11.5 DEVELOPMENT SERVICES

11.5.1 REPORT NO. DS 2020-004

Release of Agreement

Instrument Number 988117

3 Redford Drive, Petersburg

Resolution No. 2020-26

Moved by: Councillor J. Pfenning Seconded by: Councillor C. Gordijk

THAT, Council authorize the Mayor and Clerk to execute and register the release of Agreement registered as Instrument Number 988117.

CARRIED.

11.6 CASTLE KILBRIDE

**11.6.1 REPORT NO. CK 2020-01 (Moved from Consent Agenda)
Quarterly Activity Report**

Resolution No. 2020-27

Moved by: Councillor B. Fisher

Seconded by: Councillor J. Pfenning

That the Castle Kilbride Activity Report for the months of October, November and December 2019 be received for information purposes.

CARRIED.

Councillor A. Hallman noted there was a drop in visitor numbers over the Christmas season and asked if the reason was known. The Director / Curator advised that number fluctuations are to be expected as some visitors and bus tours do not attend every year.

Councillor C. Gordijk asked if the drop in attendance is something to look into and the Director / Curator advised that there is no explanation that has been identified for that drop.

12. CORRESPONDENCE

12.1 Annual Ombuds Report (Deferred from January 13, 2020)

12.2 2019 Year End Assessment Report - MPAC

Resolution No. 2020-28

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Pfenning

THAT the Correspondence 12.1 and 12.2 be received for information.

CARRIED.

13. BY-LAWS

13.1 By-law No. 2020-04

**Execution of Water Agreement – Perth
East**

- 13.2 By-law No. 2020-05 Execution of Water Agreement – East Zorra Tavistock**
- 13.3 By-law No. 2020-06 Zone Change Application 01/20**
- 13.4 By-law No. 2020-07 Water Rates 2020**

Resolution No. 2020-29

Moved by: Councillor J. Gerber

Seconded by: Councillor B. Fisher

THAT By-law No. 2020-04, 2020-05, 2020-06, 2020-07 be read a first, second and third time and finally passed in Open Council.

CARRIED.

14. NOTICE OF MOTIONS

14.1 (Deferred from January 13, 2020)

Resolution No. 2020-30

Moved by: Councillor A. Hallman

Seconded by Councillor C. Gordijk

To direct administration to bring a report back to council in the 2020 work program on the logistics of live streaming the Council Meetings for the viewing of live and archived meetings for the ability of the residents of Wilmot Township whom do not have the ability to attend our council meetings. This motion supports Wilmot's commitment to exploring open, transparent and effective governance.

CARRIED.

Councillor J. Gerber asked how this initiative would impact the budget and noted that additions such as these should come forward sooner to be included through that process. The CAO advised that this particular request would be acceptable under the Work Program as it is asking for a report.

Councillor B. Fisher advised he supports this Motion.

14.2 (Deferred from January 13, 2020)

Resolution No. 2020-31

Moved by: Councillor A. Hallman Seconded by: Councillor C. Gordijk

That staff be directed to prepare by the end of the second quarter to create an appropriate email address and an advertisement to be posted on the Townships website and social media inviting the community to nominate good neighbours in Wilmot.

This will be to recognize a Wilmot resident, group, business, or organization who make Wilmot a better place to live. They will receive a thank you card signed by the mayor and member(s) of council from the appropriate ward to send to the recipient.

CARRIED.

Councillor C. Gordijk advised she fully supports this initiative.

Mayor Armstrong asked if this is over and above the Citizen of the Year and Councillor A. Hallman advised that she sees this as something separate that could potentially lead up to that event.

Councillor J. Gerber asked if there was a Department identified to be responsible for this and Councillor A. Hallman advised that she felt Information and Legislative Services would be responsible for the program.

15. ANNOUNCEMENTS

- 15.1** Councillor J. Gerber thanked and congratulated the Director of Facilities and Recreation on his upcoming retirement.

Councillor B. Fisher echoed those comments and advised that he appreciates all the advice over the years.

Mayor L. Armstrong also wished the Director of Facilities and Recreation much luck and much great health in his retirement.

Councillor A. Hallman also wished well and asked that the Director of Facilities and Recreation return this summer to fulfill a promise made during the building of the Recreation Complex, which is to do the bucket at the splash pad.

Councillor J. Pfenning also wished well and advised she has enjoyed the short time that they have worked together.

In response, the Director of Facilities and Recreation Services thanked Council and staff for the many years of support.

Councillor C. Gordijk also thanked the Director of Facilities and Recreation Services.

- 15.2 Councillor C. Gordijk thanked the Optimist for the Valentine's Dance this past Saturday.
- 15.3 Councillor B. Fisher advised that there are Family Day activities at the Recreation Complex, including free swimming and skating with the Baden Optimist serving refreshments.
- 15.4 Councillor A. Hallman advised that the Polar Plunge raised just over \$400.
- 15.5 Councillor A. Hallman advised that on February 26, the New Dundee Library will be hosting Technology Coaching sessions.
- 15.6 Councillor A. Hallman advised that on February 27, a talk on Early Settlers will be given by a Historian at the Steinmann Church.
- 15.7 Councillor A. Hallman advised that the New Dundee Optimist has a \$1,500. scholarship opportunity for youth.
- 15.8 Councillor J. Pfenning advised of the upcoming Heritage Day celebrations on February 22, 2020 at the New Dundee Community Centre.

16. BUSINESS ARISING FROM CLOSED SESSION

17. CONFIRMATORY BY-LAW

17.1 By-law No. 2020-08

Resolution No. 2020-32

Moved by: Councillor C. Gordijk

Seconded by Councillor Gerber

THAT By-law No. 2020-08 to Confirm the Proceedings of Council at its Meeting held on February 10, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

18. ADJOURNMENT (9:30 pm)

Resolution No. 2020-33

Moved by: Councillor B. Fisher Seconded by: Councillor C. Gordijk

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