



# TOWNSHIP OF WILMOT

## **Council Meeting Minutes** **Monday, February 8, 2021** **Council Meeting** **Electronic Online Participation** **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 J. Molenhuis, Director of Parks, Facilities and Recreation S. Jackson, Director of Development Services H. O’Krafka, Director of Corporate Services / Treasurer P. Kelly, Fire Chief R. Leeson, Director / Curator Castle Kilbride T. Loch, Manager of Information and Legislative Services / Deputy Clerk T. Murray, Manager of

**1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**

**2. MOTION TO RECONVENE IN OPEN SESSION**

**3. MOMENT OF SILENCE**

**4. LAND ACKNOWLEDGEMENT**

**4.1 Councillor C. Gordijk read the Land Acknowledgement**

**5. ADDITIONS TO THE AGENDA**

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

**6.1 Mayor Les Armstrong disclosed a conflict with Item 11.3.3**

**7. MINUTES OF PREVIOUS MEETINGS**

**7.1 Council Meeting Minutes Monday January 11, 2021**

**Resolution No. 2021-08**

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

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

Council Meeting January 11, 2021.

CARRIED.

The Director of Information and Legislative Services advised that staff can look at the possibility of adding page numbers to the Council agenda identifying the page number each report starts on.

**8. PUBLIC MEETINGS**

**8.1 REPORT NO. DS 2021-002**

**Zone Change Application ZCA-01/21**

**LAV Developments Inc.**

**Part 1, Plan 58R-19065**

**53-75 Brubacher Street, Baden**

**Resolution No. 2021-09**

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

THAT Report DS 2021-002 be received for information.

CARRIED.

Mayor L. 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 L. 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.

The Manager of Planning / EDO explained that the setback on the drawing is the minimum setback as required by CN Rail and noted that final review and comments from the Region of Waterloo have not yet been received.

The Manager of Planning / EDO confirmed that the lands being donated are to provide proper access and visitor parking. He noted that with respect to stormwater management facilities are recognized through the site plan review.

Ms. Caitlin Port, MHBC Planning provided an overview presentation of the development. Mr. Louis Veenstra and Ms. Rebecca Huffman, LAV Developments Inc. were also in attendance for the presentation.

## **8.2 REPORT NO. DS 2021-003**

### **Zone Change Application ZCA-02/21**

**Jon Lambert**

**Lot 39 and Part of Lots 40 and 41, Plan 627**

**49 Foundry Street, Baden**

## **Resolution No. 2021-10**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor A. Hallman**

THAT Council approve Zone Change Application 02/21 made by Jon Lambert Lot 39 and Part of Lots 40 and 41, Plan 627 to change the zoning of the subject property from Zone 3 (Residential) to Zone 5 (Commercial) and to allow for required off-street parking to be provided within the front yard.

CARRIED.

Mayor L. 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 L. 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.

## **9. PRESENTATIONS/DELEGATIONS**

**9.1 Aubs & Mugg Inc.  
Matt Aubie  
Branding Presentation**

Mr. Matt Aubie, Aubs & Mugg Inc., provided an overview of the recommended Corporate Identity.

The Director of Information and Legislative Services / Municipal Clerk clarified that the use of departmental marks will be outlined in the next steps through the style guidelines.

The Director of Corporate Services / Treasurer confirmed that there is funding allocated in the Capital Program for the implementation of the brand, noting that it would be a phased in approach. The Director of Information and Legislative Services / Municipal Clerk confirmed such, noting that initial rebranding will include signage and documents.

**9.1.1 REPORT NO. ILS 2021-02  
Branding Review  
Final Direction Recommendation**

**Resolution No. 2021-11**

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

THAT the recommendations and Corporate Identity presented by Aubs & Mugg Inc. and endorsed by the Senior Management Team, for Direction 2 be approved; and,

THAT the Information and Legislative Services Department be directed to implement the branding strategy.

CARRIED.

The Director of Information and Legislative Services / Municipal Clerk outlined the report.

**9.2 REPORT NO. COR 2021-009  
2021 Municipal Budget Package**

**Resolution No. 2021-12**

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

That the 2021 Municipal Budget dated February 1, 2021, as recommended by the ad hoc Budget Advisory Committee, be approved; and further

That the Director of Corporate Services / Treasurer be authorized to prepare the necessary levying by-law to raise \$9,087,350 for Township purposes from general taxation.

CARRIED.

The Director of Corporate Services / Treasurer outlined the report.

The Director of Corporate Services / Treasurer confirmed that the approach taken for the budget relied on inflation, community level expectations to ensure adequate funding.

## **10. CONSENT AGENDA**

### **10.1 REPORT NO. FD 2021-01**

**Fourth Quarter Activity Report**

### **10.2 REPORT NO. FRS 2021-001**

**Parks, Facilities & Recreation Services Fourth Quarter Activity Reports**

### **10.3 REPORT NO. PW 2021-01**

**4<sup>th</sup> Quarter 2020 Operations Activity Report  
October – December 2020**

### **10.4 REPORT NO. CK 2021-001**

**Quarterly Report**

### **10.5 REPORT NO. PW 2021-02**

**2020 Annual and Summary Water Distribution Report**

### **10.6 REPORT NO. DS 2021-01**

**2020 Building Code Act Enforcement Cost Summary**

**10.7 REPORT NO. ILS 2021-05**

**Receipt of Petition for Drainage Works North Part of Lot 31,  
Concession 3, Block A Township of Wilmot**

**Resolution No. 2021-13**

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

THAT Report Nos. PW 2021-01, CK 2021-001, PW2021-02, DS 2021-01 AND ILS 2021-05 be approved.

CARRIED. AS AMENDED.

The following reports were removed from the Consent Agenda and discussed separately.

**10.1 REPORT NO. FD 2021-01**

**Fourth Quarter Activity Report**

**Resolution No. 2021-14**

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

THAT the Fire Department Activity Report for the fourth quarter of 2020 be received for information purposes.

CARRIED.

The Fire Chief clarified that the number of 2020 recruitment was what was anticipated; however, an additional recruit was added bringing the total to 9 for the year and a total of 87. He noted that the recruitment was successful and is on track to have a compliment of 90 Volunteer Fire Fighters by 2022.

**10.2 REPORT NO. FRS 2021-001**

**Parks, Facilities & Recreation Services Fourth Quarter Activity  
Reports**

**Resolution No. 2021-15**

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

THAT the Parks, Facilities & Recreation Services Activity Reports for the fourth quarter of 2020 be received for information.

CARRIED.

The Director of Parks, Facilities & Recreation Services advised that the position of the Parks, Facilities Operator position has not been filled, it will be posted in the spring.

**11. REPORTS****11.1 PUBLIC WORKS AND ENGINEERING****11.1.1 REPORT NO. PW 2021-03****Wilmot Street Reconstruction and Gingerich Road Watermain Connection Improvements – Award of Contract****Resolution No. 2021-16**

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

THAT RFT 2020-24 be awarded to BEECH Infrastructure Group Ltd. for the reconstruction of Wilmot Street in New Hamburg and Gingerich Road Watermain Connection Improvements in Baden, as per their contract tender bid submitted on January 14, 2021, in the amount of \$1,957,305.10 plus HST.

CARRIED.

The Director of Public Works and Engineering outlined the report.

The Director of Public Works and Engineering confirmed that signage advising that businesses are open will be included in the project, he acknowledged the impacts construction projects have and they ensure they mitigate those impacts when possible.

**11.2 PARKS, FACILITIES AND RECREATION SERVICES****11.2.1 REPORT NO. PFRS 2021-002**

**Wilmot Horticultural Society Agreement**

**Resolution No. 2021-17**

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

THAT the five (5) year agreement between the Township of Wilmot and the Wilmot Horticultural Society be endorsed.

CARRIED.

The Director of Parks, Facilities and Recreation Services outlined the report.

**11.3 INFORMATION AND LEGISLATIVE SERVICES**

**11.3.1 REPORT NO. ILS 2021-04**

**2021-2024 Multi-Year Accessibility Plan**

**Resolution No. 2021-18**

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

THAT the 2021-2024 Multi-Year Accessibility Plan be endorsed.

CARRIED.

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

The Director of Information and Legislative Services / Municipal Clerk confirmed that the use of Camel Case in social media will be included in the document; however, noted that the use of such will be done when possible.

The Director Information and Legislative Services / Municipal Clerk noted that there are certain areas that a service animal would not be permitted and noted that removing the word allows from the document and being replaced with can. The Director / Curator of Castle Kilbride confirmed that service animals are permitted in Castle Kilbride. The Director of Parks, Facilities and Recreation confirmed that there are restrictions for service animals; however, there are provisions in place to accommodate when possible.

**11.3.2 REORT NO. ILS 2021-06**



**Canadian Coalition of Inclusive Municipalities****Resolution No. 2021-19**

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

THAT staff continue to work with the Canadian Commission for the United Nations Educational, Scientific and Cultural Organization (UNESCO) to consider and prepare an application to join the Coalition of Inclusive Municipalities.

CARRIED.

The Director of Information and Legislative Services / Municipal Clerk outlined the report and advised that staff will continue to provide updates on the process as they become available.

Mayor L. Armstrong stepped down from his role as the meeting Chair. Councillor C. Gordijk, Acting Mayor for February 2021 in accordance with By-law 2018-55, assumed the role of meeting Chair for Agenda Item 11.3.3.

**11.3.3 REPORT NO. ILS 2021-07****Integrity Commissioner's Report****Resolution No. 2021-20**

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

THAT the report prepared by the Integrity Commissioner be received and that Council pass a subsequent Resolution regarding the recommendations contained within the report.

CARRIED.

The Director of Information and Legislative Services / Municipal Clerk outlined the report.

Ms. Nancy Birss appeared as a delegation. Her prepared statement is attached as Appendix A.

Mr. David Atkinson appeared as a delegation. He expressed his opinion on the Integrity Commissioner's report and the Code of Conduct. Mr. Atkinson noted that he did not feel that there was a violation of the Code of Conduct. He requested that Council reject the report.

Mr. Glen Mathers appeared as a delegation. He expressed his opinion on the report and asked that Council reflect on the proceedings of previous Council meetings in relation to this subject.

Dr. Robert Williams, Integrity Commissioner, clarified that the requests were not submitted by any persons connected to members of Council. He noted that the petitioners are confidential, not anonymous.

Dr. Robert Williams noted that his role is not to look for a problem rather to respond to requests for investigation, he noted that the Code of Conduct is clear that once Council has made a decision, members of Council are expected to respect that decision.

Dr. Robert Williams clarified that the Municipal Act speaks to establishing a Code of Conduct and there are best practices and that the Wilmot Code of Conduct includes standard procedures for Codes of Conduct. He noted that the confidentiality of the petitioners protects individuals from any reprisal as well, clarified that legislation requires the Integrity Commissioner reports to Council anytime an investigation occurs.

Mayor L. Armstrong clarified that he has never considered Wilmot residents as outsiders if they are on the opposite side of a decision, rather his use of the term outsider refers to people who are not residents of the Township.

Council discussed the report, expressing their concerns regarding the Integrity Commissioner recommendation. It was noted that the offended parties are the members of Council and agreed that the Code of Conduct was not followed. Council noted the importance of respecting the recommendations of the Integrity Commissioner and that there is an option of up to 30 days docking of pay; however, a one (1) day pay docking would be more appropriate.

### **Resolution No. 2021-21**

**Moved by: Councillor J. Gerber**

**Seconded by: Councillor B. Fisher**

THAT the remuneration paid to the Mayor in respect of his services as a member of Wilmot Township Council be suspended for a period of 1 day.

CARRIED.

**12. CORRESPONDENCE**

**12.1 Open Letter to Council from Mr. N. Gordijk**

**Resolution No. 2021-22**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor J. Pfenning**

THAT Correspondence Item 12.1 be received for information.

CARRIED.

**13. BY-LAWS**

**13.1 By-law No. 2021-05**

**Wilmot Horticulture Society Agreement**

**13.2 By-law No. 2021-06**

**Zone Change Application 02/21**

**Resolution No. 2021-23**

**Moved by: Councillor C. Gordijk**

**Seconded by: Councillor J. Pfenning**

THAT By-law Nos. 2021-05 and 2021-06 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

**13.3 By-law No. 2020-32**

**Nachurs-Alpine Drain**

**Resolution No. 2021-24**

**Moved by: Councillor C. Gordijk**

**Seconded by: Councillor B. Fisher**

THAT By-law No. 2020-32 be read a third time and finally passed in Open Council.

CARRIED.

**14. NOTICE OF MOTIONS****15. ANNOUNCEMENTS**

- 15.1** Councillor J. Gerber acknowledged Black History Month and noted that he is looking forward to future acknowledgements that include input from our IPOC communities
- 15.2** Councillor B. Fisher noted that Heritage Week starts February 15<sup>th</sup> and ends February 21<sup>st</sup>. He noted that this years celebrations will be daily posts highlighting facts about the community on Castle Kilbride's Facebook page and at [heritagewilmot.ca](http://heritagewilmot.ca)
- 15.3** Councillor J. Pfenning also acknowledged Heritage Week and noted she is looking forward to enjoying the celebrations.
- 15.4** Councillor J. Pfenning acknowledged the importance of Black History Month and the 53 year history of Jamaican migrant workers.
- 15.5** Councillor J. Pfenning thanked the staff at Tri-County Mennonite Homes for their hard work and dedication the staff provide to residents.
- 15.6** Councillor A. Hallman also acknowledged Black History Month and encouraged everyone to participate.
- 15.7** Councillor A. Hallman expressed condolences on the loss of local Radio personal Jennifer Campbell and that local New Dundee business, Rustic Candles has made a candle in her honour with proceeds to local organizations.

**16. BUSINESS ARISING FROM CLOSED SESSION****17. CONFIRMATORY BY-LAW****17.1 By-law No. 2021-07****Resolution No. 2021-25****Moved by: Councillor J. Pfenning****Seconded by: Councillor C. Gordijk**

THAT By-law No. 2021-07 to Confirm the Proceedings of Council at its Meeting held on February 8, 2021 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

**18. ADJOURNMENT (10:17 PM)**

**Resolution No. 2021-26**

**Moved by: Councillor J. Gerber**

**Seconded by: Councillor C. Gordijk**

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

CARRIED.