

Council Meeting Minutes

Council Meeting

Date: July 29, 2024, 5:30 P.M.

Location: Council Chambers - Hybrid
60 Snyder's Road West
Baden, Ontario
N3A 1A1

Members Present: Mayor N. Salonen
Councillor S. Cressman
Councillor K. Wilkinson
Councillor H. Sidhu
Councillor S. Martin

Staff Present: Chief Administrative Officer, S. Chambers
Director of Infrastructure Services, J. Molenhuis
Director of Development Services, H. O'Krafka
Director of Corporate Services/CFO, G. Clark
Manager of Legislative Services / Municipal Clerk, J. Bunn
Supervisor of IT, K. Jeffreys
Supervisor of Legislative Services / Deputy Clerk, K. Bos

1. CALL TO ORDER

Moved by: Councillor S. Cressman

Seconded by: Councillor S. Martin

THAT the Regular Council Meeting held on July 29, 2024 be called to order at 5:35 p.m.

Motion Carried Unanimously

2. CLOSED SESSION

Moved by: Councillor H. Sidhu

Seconded by: Councillor K. Wilkinson

THAT a Closed Meeting of Council be held on July 29, 2024, at 5:35 p.m. at the Wilmot Administrative Complex, in accordance with Section 239 (2) (b) the Municipal Act, 2001, to consider the following:

- CAO Performance Appraisal Process - Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees.

Motion Carried Unanimously

3. RECONVENE INTO OPEN SESSION

Moved by: Councillor S. Martin

Seconded by: Councillor S. Cressman

THAT Council reconvenes in Open Session at 7:02 p.m.

Motion Carried Unanimously

Mayor N. Salonen reflected on the following:

- The Passing of Former Township Councillor and Employee Ronald 'Ron' Dietrich

4. TERRITORIAL LAND ACKNOWLEDGEMENT

Councillor H. Sidhu read the Territorial Land Acknowledgment.

5. ADDITIONS TO THE AGENDA

We had the following additions to the agenda:

- Item 9.1 - Delegations regarding Item 12.1
 - Kevin Thomason
 - Mark Reusser on behalf of the Waterloo Federation of Agriculture
 - Andrew Wilson

6. ADOPTION OF THE AGENDA

Moved by: Councillor S. Martin

Seconded by: Councillor H. Sidhu

THAT the Agenda for July 29, 2024 be adopted, as amended.

Motion Carried Unanimously

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

Councillor S. Cressman declared a conflict of interest with Agenda Item 11.5 IS-2024-24 - Extension of Contract for Engineering Consulting Services – Boullee Street SWM Facility Retrofit.

8. MINUTES OF PREVIOUS MEETINGS

Moved by: Councillor S. Martin

Seconded by: Councillor H. Sidhu

THAT the Minutes of the June 24, 2024 Regular Council Meeting and July 17, 2024 Special Council Meeting be adopted as presented.

Motion Carried Unanimously

9. DELEGATIONS

9.1 Item 12.1 - COR-2024-36 - Procedural By-law Amendment Relating to Delegations

9.1.1 Kevin Thomason

9.1.2 Mark Reusser on behalf of the Waterloo Federation of Agriculture

9.1.3 Andrew Wilson

10. CORRESPONDENCE

Moved by: Councillor K. Wilkinson

Seconded by: Councillor H. Sidhu

THAT Correspondence Items 10.1, 10.2, 10.3, and 10.4 be received for information.

Motion Carried Unanimously

10.1 Correspondence from AMO and OMA Regarding Joint Health Resolution Campaign

10.2 Correspondence from AMO Regarding Advocacy on Homelessness Encampments

10.3 Correspondence from CN Regarding Rail Safety Week Proclamation

10.4 Correspondence from Dorothy Wilson Regarding the Wilmot Land Assembly Project

11. CONSENT AGENDA

Councillor S. Cressman pulled Item 11.6 COR-2024-35 - Petition for Drainage Works by Owners- Kevin and Tracey Erb.

Moved by: Councillor S. Martin

Seconded by: Councillor S. Cressman

THAT Consent Agenda Items 11.1, 11.2, 11.3, 11.4, 11.7 and 11.8 be approved.

Motion Carried Unanimously

11.1 IS-2024-19 - Award of Contract – Request for Proposal for Structure Rehabilitation & Replacement of Culvert #24/B-T12 (Huron Road) and Bridge #7/B-T3 (Carmel Koch Road)

THAT Council award RFP2024-11, Culvert #24/B-T12 (Huron Road) and Bridge #7/B-T3 (Carmel Koch Road) to GEI Consultants Canada Limited of Guelph, Ontario as per their proposal submission on July 4, 2024, in the amount of \$125,320.00 plus HST; and further,

THAT Staff be directed to execute the Consulting Engineering Agreement documents with GEI Consultants Canada Limited to proceed with the scope of services and tasks contained in the proposal document.

11.2 IS-2024-20 - Bridge #34/B-T9, Bridge Street - Emergency Slope Repair

THAT Report No. IS-2024-20, Bridge #34/B-T9, Bridge Street – Emergency Slope Repair be received for information.

11.3 IS-2024-21 - Annual Hot Mix Asphalt Program – Award of Contract

THAT RFT 2024-21 be awarded to Steed and Evans Limited of St. Jacob's, Ontario for the Annual Hot Mix Asphalt Program, as per their bid submission dated July 18, 2024, in the amount of \$ 205,821.00, plus HST.

11.4 IS-2024-23 - Punkeydoodles Oxford Road 5 Project Update

THAT the report Punkeydoodles Oxford Road 5 Project Update Report IS-2024-23 is received for information; and further,

THAT Council approves a project funding increase to \$200,000 for capital account 02-3000-0401, to be funded from Infrastructure Renewal Reserve Fund (#6125).

11.5 IS-2024-24 - Extension of Contract for Engineering Consulting Services – Boullee Street SWM Facility Retrofit

Councillor S. Cressman declared a conflict of interest on this item, and recused from voting.

Moved by: Councillor K. Wilkinson

Seconded by: Councillor H. Sidhu

THAT Council receive Report IS-2024-24 Extension of Contract for Engineering Consulting Services – Boullee Street SWM Facility Retrofit for information.

Motion Carried

11.6 COR-2024-35 - Petition for Drainage Works by Owners- Kevin and Tracey Erb

Council asked and received a response from staff regarding:

- Land surrounding the improvements and landowners having the opportunity to join petition.

Moved by: Councillor S. Cressman

Seconded by: Councillor S. Martin

THAT the Petition for Drainage Works by Owners Kevin and Tracey Erb be accepted; and further,

THAT K. Smart Associates Limited be appointed as the engineer firm to prepare a report with instruction as per Section 8(4) of the Drainage Act to include the Erb petition in the Section 78 report for the Nicklas Drain.

Motion Carried Unanimously

11.7 COR-2024-37 - Petition for Drainage Works by Owners- JJZ Developments Inc.

THAT the Petition for Drainage Works by Owners JJZ Developments Inc. be accepted; and further,

THAT the Clerk be directed to prepare and circulate a Notice of Decision to be sent to the prescribed persons under Section 5(1) (b) of the Drainage Act, 1990.

11.8 CS-2024-17 - Operations at Parks and Fire Administration Building 30 Neville Street

THAT Report CS-2024-17 Operations at Parks and Fire Administration Building 30 Neville Street be received for information.

12. REPORTS

12.1 COR-2024-36 - Procedural By-law Amendment Relating to Delegations

A motion was brought forward by Councillor H. Sidhu, seconded by Councillor K. Wilkinson THAT Report COR-2024-36 be received as information; and further, THAT the Clerk be directed to bring forward a By-law on the August 26, 2024 Regular Council Agenda to implement the changes outlined in this Report.

Manager of Legislative Services / Municipal Clerk, J. Bunn introduced the report.

Council asked and received a response from staff regarding:

- Clarification on Section 6.4.2; and,
- Timing of the request to Staff; and,
- Consistency with other Procedural By-laws on time to submit request to Staff; and
- Parties involved in the review of the requests for General Interest Delegations.

Delegates K. Thomason, M. Reusser on behalf of the Waterloo Federation and A. Wilson spoke to Item 12.1. COR-2024-36 - Procedural By-law Amendment Relating to Delegations.

Council asked and received response from delegates regarding:

- Suggestions to handle more than 3 requests for a meeting; and,
- Suggestions on handling time limit, if any between requests.

Council asked and received a response from staff regarding:

- Clarification on Section 6.4.6 (v);
- Streamlining the written submission and request to delegate process;

- Potential on changing written submission to written summary of comments;
- Accessibility of services regarding the written submissions;
- Clarification on Section 6.3.4 permission to ask delegation questions;
- Concern regarding Section 6.4.5 the process for denying requests, a potential for an appeal process;
- The ability to potentially increase the maximum number of 3 delegates, and overflow;
- Clarification on the time limit for the General Interest Delegations; and,
- Direct or indirect spheres of jurisdiction for the General Interest Delegations.

Council agreed through consensus on providing the Municipal Clerk direction to amend Section 6.4.6 (ii) of the draft Procedural By-law Amendment to strike out written submission and insert a written summary of the request.

An amendment was brought forward by Councillor H. Sidhu, seconded by Councillor K. Wilkinson THAT the motion be amended to add THAT Council amends the draft Procedural By-law Amendment Section 6.4.1 by striking out the words and within the jurisdiction. The motion carried unanimously.

An amendment was brought Councillor S. Cressman, seconded by Councillor K. Wilkinson THAT the motion be amended to add THAT Council amends the draft Procedural By-law Amendment to add that General Interest Delegations be subject to a 3-month wait period before appearing before Council again on the same subject matter. The motion carried unanimously.

An amendment was brought forward by Councillor K. Wilkinson, seconded by Councillor S. Cressman, THAT the motion be amended to add THAT Council request Staff report back within 6-months on the implementation of this Procedural By-law Amendment specifically the maximum number of delegates for General Interest Delegations. The motion carried unanimously.

Council now voted on the main motion as amended.

Moved by: Councillor H. Sidhu

Seconded by: Councillor K. Wilkinson

THAT Report COR-2024-36 be received as information; and,

THAT the Clerk be directed to bring forward a By-law on the August 26, 2024 Regular Council Agenda to implement the changes outlined in this Report; and,

THAT Council amends the draft Procedural By-law Amendment Section 6.4.1 by striking out the words and within the jurisdiction; and,

THAT Council amends the draft Procedural By-law Amendment to add that General Interest Delegations may not appear before Council on the same subject matter within 3-months; and further,

THAT Council request Staff report back within 6-months on the implementation of this Procedural By-law Amendment specifically the maximum number of delegates for General Interest Delegations.

Motion Carried Unanimously

13. NOTICE OF MOTION

Mayor N. Salonen request that Council wave notice to discuss the discretionary funds allocated in the 2024 Budget.

Moved by: Councillor S. Cressman

Seconded by: Councillor H. Sidhu

THAT Council waive notice to discuss the discretionary funds in the 2024 Budget.

Motion Carried

Mayor N. Salonen provided an introduction to the topic.

Councillor K. Wilkinson provided comments on asking for direction and clarity on the current process.

Councillor H. Sidhu provided comments in support of the topic.

Mayor N. Salonen provided clarification on the intention of the discussion was to discuss how Council could access the discretionary funds.

Council asked and received response from the Director of Corporate Services / CFO, G. Clark on the following;

- Clarification on the process that guides this spending;

- If any of the funds have been used; and
- Development of a policy for Council's use of the Discretionary Funds.

A motion was brought forward by Councillor K. Wilkinson, seconded by Councillor S. Cressman THAT Council defers the discussion on the topic of the use of discretionary funds to the August 26, 2024 Regular Council Meeting at such time Staff are directed to report back with more information. The motion carried.

14. ANNOUNCEMENTS

Mayor N. Salonen provided announcements on:

- Baden resident Tyler Rorke is competing in his first Olympic Games
- Emancipation Day in Canada- August 1st
- National Peacekeepers' Day- August 9th
- National Acadian Day- August 15th
- FREE TD Summer Reading Club at Region of Waterloo Libraries
- Wednesday Walks in Wilmot's Wonderful Woods- July 31st from 7:00 - 8:00 p.m.
- Castle Kilbride Concert Series continue on Thursday nights between 7:00 -8:00 p.m. running until August 29th
- Blood Donation Event at Steinmann Mennonite Church- August 5th from 2:00 - 8:00 p.m.
- The New Hamburg Board of Trade is hosting two upcoming events:
 - Music in Kirkpatrick Park, featuring Twas Now - August 7th at 7:00 p.m.
 - Cruise Night on Huron St & Peel St - August 16th from 5:00 - 9:00 p.m.
- Mopar Fest in New Hamburg- August 17th and 18th
- Wilmot Fire Department's Administrative Division has moved to 30 Neville Street New Hamburg, ON
- Wilmot Aquatic Centre is offering Adapted Aquatics this Fall
- Grand River Transit online survey regarding Township transit service options

15. BUSINESS ARISING FROM CLOSED SESSION

Moved by: Councillor S. Cressman

Seconded by: Councillor S. Martin

THAT the Mayor, CAO and Manager of Human Resources be directed to proceed with working collaboratively on a revised CAO performance evaluation policy and that the new process/policy be presented in open session by end of September.

Motion Carried Unanimously

16. CONFIRMATORY BY-LAW

Moved by: Councillor S. Martin

Seconded by: Councillor H. Sidhu

THAT the Confirmatory By-Law as attached to this Agenda be read a first, second and third time, and finally passed in Open Council.

Motion Carried Unanimously

17. ADJOURNMENT

Moved by: Councillor S. Cressman

Seconded by: Councillor S. Martin

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

Motion Carried Unanimously