



**TOWNSHIP OF WILMOT  
COUNCIL MINUTES  
February 16, 2010**

**REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
7:00 P.M.**

**Members Present:** Mayor W. Roth, Councillors E. Fung, P. Roe, T. Broda, L. Armstrong

**Staff Present:** Chief Administrative Officer G. Whittington, Director of Clerk's Services B. McLeod, Deputy Clerk D. Mittelholtz, Director of Public Works G. Charbonneau, Director of Facilities and Recreation Services S. Nancekivell, Director of Development Services H. O'Krafka, Fire Chief J. Ritz, Director of Finance R. Tse, Curator/Director of Castle Kilbride T. Loch, Senior Municipal Law Enforcement Officer D. Wallace, Manager of Accounting P. Kelly

**Also Present:** Sergeant D. Scott – Waterloo Regional Police Services

1. **MOTION TO GO INTO CLOSED SESSION – (if necessary)**
2. **MOTION TO RECONVENE IN OPEN SESSION – (if necessary)**
3. **MOMENT OF SILENCE**

Mayor W. Roth acknowledged Councillor P. Roe for receiving a life time achievement award in his field of study.

4. **ADDITIONS TO THE AGENDA**
5. **DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**



**Larry Anstett, 1425 Tye Road, New Hamburg**

Mr. Anstett articulated that adding an extra day would increase number of complaints from hunting, that residents do not know where bullets are coming from and that there are conflicts when a bush is divided between hunting and non-hunting neighbours. He was of the opinion that crop damage is mainly from raccoons and birds, not deer. He also stated that many gun hunters also use a bow and arrow to hunt. Mr. Anstett suggested that the issue of traffic safety would not be eased through the hunting of deer but through public education and traffic calming measures.

**Victor Rocha, 25 Louisa Street, Baden**

Mr. Rocha is requesting Sunday Gun Hunting because he often works 6 days a week and enjoys hunting as a family sport. He also stated that it is not just for deer.

**Chris Brenner, 1245 Queen Street, New Dundee**

Mr. Brenner reiterated that this was not solely for the hunting of deer. He added that in another municipality where he owns property there is Sunday Gun Hunting but he loses the Spring hunt for water fowl so there are pros and cons for both.

In response to Council, Mr. Brenner further explained that there were a limited number of total days to hunt migratory birds under federal regulations.

**Jamie Gutzeit, 198 Schneller Drive, Baden**

Mr. Gutzeit offered that this would not change a majority of people's lives and of those who do hunt it will only affect those who follow the rules.

**Paul Eicher, 85 Snyder's Road East, Baden**

Mr. Eicher stated that he has a busy work week during hunting season and that this would give him an extra day to hunt.

Mayor W. Roth asked twice if anyone else wished to address Council, and in the absence of any further comments, declared the public meeting to be closed.

Mayor W. Roth suggested Council consider the matter this evening for optimal timing with the Ministry of Natural Resources read a draft resolution.

In response to Council, The Director of Clerk's Services responded that the Sunday Gun Hunting would be for a trial period of one year at the request of the petitioners.

Councillor L. Armstrong expressed that Sunday Gun Hunting has been going on in other areas for quite awhile and with only two comments received against it, they understand that the majority rules.

**Resolution No. 2010-27****Moved by: E. Fung****Seconded by: P. Roe**

**THAT the Township of Wilmot endorses the request from The Waterloo Federation of Agriculture; Nith River Wild Turkey Conservation Association, Residents and Landowners to consider Sunday Gun Hunting in Wilmot Township for a trial period of one year for the purposes of increasing harvest levels and to help address the problem of crop damage in southern Ontario, and further;**

**THAT the Ministry of Natural Resources be formally requested to add the Township of Wilmot via regulation to the list of municipalities where Sunday Gun Hunting is permitted during the normal open hunting seasons, and further;**

**THAT after a period of one year, staff will report the findings of the trial period to Council.**

CARRIED.

**7.2 REPORT NO. CL2010-02  
Potential Amendment to Existing No-Discharge of Firearms By-law  
200 Metre Buffer Zone Along Settlement Areas of Township  
And Alternative Options**

**Resolution No. 2010-28**

**Moved by: L. Armstrong**

**Seconded by: T. Broda**

**THAT Report NO. CL 2010-02 be received for information purposes.**

CARRIED.

Mayor W. Roth declared the public meeting open and stated that this is a public meeting being held under Section 119 of the Municipal Act, to consider a potential amendment to the existing no-discharge of firearms bylaw for the Township of Wilmot, to include a 200 metre buffer zone around the settlement areas.

Council will hear all interested parties who wish to speak. Persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record, and you are hereby advised that this information may be posted on the Township's official website.

Mayor W. Roth declared the public meeting to be open.

The Director of Clerk's Services highlighted the report.

Mayor W. Roth asked Council if anyone had any questions of a technical nature, there were none.

**Derek Snyder, 174 Charlotta Street, Baden**

Mr. Snyder expressed his beliefs that the number of complaints received are minor and that the example given for one of the complaints would not be remedied by a buffer zone. He stated that there has never been an accidental shooting in the Township of Wilmot and that there are federal and provincial regulations that prevent it. He added that he does not feel there is a need for a buffer zone, that there is no real public outcry for it.

**Steve Gingerich, 34 Steinman Street, New Hamburg**

Mr. Gingerich articulated that laws already exist to protect the township and city limits and that permission must be given by land owners. He feels there are enough laws in existence to protect everybody.

**Larry Anstett, 1425 Tye Road, New Hamburg**

Mr. Anstett questioned why there is no signage in areas actively being hunted as bullets can fly up to two miles and he has no idea where the shots are coming from. He further questioned the rights of others engaging in recreational activities near where hunting is taking place and stated that they need more protection.

Council asked Mr. Anstett what he would like to see as a buffer zone. Mr. Anstett responded that he would like to see two miles as there have been too many indiscretions and he does not like to see a hunter at his hedge line. He should not have to wear an orange vest on his own property.

**Chris Brenner, 1245 Queen Street, New Dundee**

Mr. Brenner clarified that as a hunter close to Mr. Anstett's property that they never shoot towards his property, that his fears are onerous. He added that a 200 metre buffer zone will not stoop a child from seeing an animal being killed as it is often in an open area. He further clarified that when they shoot, they are shooting at something and that bird shot only goes 100 to 150 yards once air born.

Mr. Brenneman clarified for Council that bird shot travels approximately 150 yards, the slugs used for deer are about the same and the "2-22's" used for coyotes would travel 300 to 500 yards when shot appropriately by a hunter. If "2-22's" were shot up in the air they could travel up to 2 miles.

**Paul Eicher, 85 Snyder's Road East**

Mr. Eicher informed Council that licenced hunters are trained to use backstops and that the animal shot in-front of a child is a matter of hunter ethics.

**Jamie Gutzeit, 198 Schneller Drive, Baden**

Mr. Gutzeit asked when people move to country do they want to smell manure? We do not outlaw the spreading of manure? He further asked do we need to create another imaginary line.

**Ryan Haid, - 4 King Street, New Hamburg**

Mr. Haid questioned earlier comments on trespassing by hunters by asking why cyclists and walkers do not have to ask permission as hunters do. He clarified for Council that the maximum distances stated on a box of ammunition does not mean it is harmful at that distance.

**Tyler Hoffman, 117 Brenneman Drive, Baden**

Mr. Hoffman expressed his belief that people from the cities who have come out here do not understand hunting. He does not understand why they need to be pushed further back as responsible hunters do not shoot towards houses. He feels hunters would loose a lot of local hunting areas.

Mayor W. Roth commented that he was glad Mr. Hoffman re-iterated the difference between responsible and irresponsible hunters.

**Tony Jackson, RR #1 St. Paul's**

Mr. Jackson stated that the vast majority of hunters are dedicated to safety and that in the 1960's the OFAH worked with the province on mandatory hunter education. As the result of that there are virtually no hunting related accidents. He further stated that statistics prove hunting is safer than many other recreational activities and there is little risk to the non-hunting public. He further

declared that overly restrictive by-laws and no-hunting zones infringe on the rights of hunters as there are already rules in place. He strongly urged that the Township strike a committee to deal with this issue.

Responding to Council Mr. Jackson replied that hunters may hunt in groups depending on the time of year, type of firearms and what is being hunted.

Mayor W. Roth asked twice if anyone else wished to address Council, and in the absence of any further comments, declared the public meeting to be closed.

Mayor W. Roth clarified for Council that although the organization have not been approached to sit in on the roundtable discussion it would be in there best interest to do so.

The Director of Clerk's Services informed Council that the settlement areas were defined in the 1992 By-Law but that it would require updating. She also stated that the original complaints that drove that by-law originated in Shingletown.

The Director of Development services confirmed for Council that the settlement plan for the Region is the same as the one for the Township but the identified growth areas may be different.

Council commented that safety is a high priority but that it needs to be determined if there is an actual problem that needs addressing. Mayor W. Roth clarified that the stakeholder's discussion would address this.

The Director of Clerk's Services clarified for Council that the schools were included in the stakeholder's group as other municipalities had included buffer zones around educational properties.

Mayor W. Roth summarized that a discussion with the stakeholders will occur in the near future to deal with this matter, which may lead to the formation of an advisory committee and a recommendation to Council.

## **8. PRESENTATIONS/DELEGATIONS**

## **9. REPORTS**

**9.1 CAO – no reports**

**9.2 CLERKS – no additional reports**

**9.3 FINANCE**

**9.3.1 REPORT NO. FIN 2010-11  
Honorariums and Expenditures of Council Members and  
Council Appointees for the Year Ended December 31, 2009**

### **Resolution No. 2010-29**

**Moved by: E. Fung**

**Seconded by: L. Armstrong**

**That the Finance Report FIN 2010-11, prepared by the Director of Finance, be adopted.**

CARRIED.

**9.3.2 REPORT NO. FIN 2010-16  
2010 Municipal Budget**

**Resolution No. 2010-30**

**Moved by: L. Armstrong**

**Seconded by: T. Broda**

1. That the 2010 Municipal Budget dated February 8, 2010, as recommended by the Ad Hoc Budget Advisory Committee, be approved.
2. That the Director of Finance be authorized to prepare the necessary levying by-law to raise \$5,763,172 for Township purposes from general taxation.

CARRIED.

**9.4 PUBLIC WORKS – no reports**

**9.5 DEVELOPMENT SERVICES**

**9.5.1 Building Statistics**

**Resolution No. 2010-31**

**Moved by: P. Roe**

**Seconded by: L. Armstrong**

**That the Building Statistics for the month of January 2010 be received for information purposes.**

CARRIED.

**9.6 FACILITIES AND RECREATION SERVICES**

**9.6.1 REPORT NO. PRD 2010-01  
Facilities & Recreation Services Activity Report – Oct. to Dec. 2009**

**Resolution No. 2010-32 – email this to dennis**

**Moved by: L. Armstrong**

**Seconded by: E. Fung**

**That the Facilities and Recreation Services Department Activity Reports for the fourth quarter of 2009 (October to December) be received for information.**

CARRIED.

The Director of Facilities and Recreation Services confirmed for Council that the boards and glass at the Wilmot Recreation Complex ice pads will be lowered as discussed with Minor Hockey and completion will be timed appropriately with the hockey seasons.

**9.7 FIRE**

**9.7.1 REPORT NO. FI 2010-03  
Quarterly Activity Report**

**Resolution No. 2010-33**

**Moved by: P. Roe**

**Seconded by: L. Armstrong**

**That the Fire Department Activity Report No. FI 2010-03 for the fourth quarter of 2009 be received for information purposes.**

**CARRIED.**

**9.8 CASTLE KILBRIDE – no reports**

**10. CORRESPONDENCE**

**10.1 Region of Waterloo – Council Info, February 3, 2010**

**Resolution No. 2010-34**

**Moved by: L. Armstrong**

**Seconded by: P. Roe**

**THAT Correspondence item 10.1 be received for information.**

**11. BY-LAWS**

**12. NOTICE OF MOTIONS**

**13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

**14. BUSINESS ARISING FROM CLOSED SESSION**

**15. CONFIRMATORY BY-LAW**

**15.1 By-law No. 2010-09**

**Resolution No. 2010-35**

**Moved by: P. Roe**

**Seconded by: E. Fung**

**THAT By-law No. 2010-09 to Confirm the Proceedings of Council at its Meeting Held on February 16, 2010 be introduced, read a first, second and third time and finally passed in Open Council.**

**16. ADJOURNMENT (8:54 p.m.)**

**Resolution No. 2010-36**

**Moved by: T. Broda**

**Seconded by: L. Armstrong**

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

**CARRIED.**

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**Mayor**

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**Clerk**