



**TOWNSHIP OF WILMOT  
COUNCIL MINUTES  
May 10, 2010**

**CLOSED SESSION OF COUNCIL  
WILMOT COMMUNITY ROOM  
6:30 P.M.  
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, Utilities Foreman S. Montgomery, Roads Foreman K. Dietrich, Interim Foreman D. Klein

**1. MOTION TO GO INTO CLOSED SESSION**

**Resolution No. 2010-102**

**Moved by: T. Broda**

**Seconded by: L. Armstrong**

**That a Closed Meeting of Council be held on Monday , May 10, 2010 at 6:30 pm in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:**

- b) personal matters about an identifiable individual, including municipal or local board employees**
- d) labour relations or employee negotiations**
- e) litigation or potential litigation.**

**CARRIED.**

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

**Resolution No. 2010-103**

**Moved by: T. Broda**

**Seconded by: E. Fung**

**That we reconvene into Open Session of Council at 7:00 p.m. in the Council Chambers.**

**CARRIED.**

**3. MOMENT OF SILENCE**

4. **ADDITIONS TO THE AGENDA**

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

6. **MINUTES OF PREVIOUS MEETINGS**

- 6.1 Council Meeting April 26, 2010  
Joint Council Meeting March 25, 2010

**Resolution No. 2010-104**

Moved by: L. Armstrong

Seconded by: P. Roe

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

Council Meeting April 26, 2010  
Joint Council Meeting March 25, 2010

**CARRIED.**

7. **PUBLIC MEETINGS**

8. **PRESENTATIONS/DELEGATIONS**

9. **REPORTS**

9.1 **CAO**

9.1.1 **REPORT NO. CAO 2010-01  
2010 Municipal Work Program**

**Resolution No. 2010-105**

Moved by: P. Roe

Seconded by: L. Armstrong

That the 2010 Municipal Work Program, as per the report dated May 10, 2010, prepared by the Chief Administrative Officer, be endorsed.

**CARRIED.**

The CAO highlighted the report.

The Director of Public Works notified Council that no action had been taken at this time in relation to advancing the paving of the boundary roads but that it would be forthcoming. The CAO added that in order to progress with the project, information is needed from the neighbouring municipalities and the sections to potentially be paved need to be identified.

The Director of Finance clarified for Council that the reporting to the Provincial and Federal Governments in relation to the building of Phase II of the Wilmot Recreation Complex are

financial in nature only and do not comment on completion timelines or progress. Funds are received from the senior levels of government based on invoices submitted.

The Director of Clerk's Services informed Council that a report will be forthcoming regarding the proposed drain off of Wilby Road as well as a memo updating Council on the status of other municipal drain projects.

## **9.2 CLERKS**

### **9.2.1 REPORT NO. CL 2010-12 Baden Fire Fighters' Association Request for Exemptions under the By-law for the Management and Regulation of Municipal Parks and Facilities and the By-law Respecting Noise in the Township**

#### **Resolution No. 2010-106**

Moved by: T. Broda

Seconded by: L. Armstrong

That an exemption to By-Law 2007-10, a By-Law to provide for the Management and Regulation of Municipal Parks and Facilities within the Township of Wilmot, to allow for extended occupancy of Sir Adam Beck Park beyond closure (11:00 p.m.) to 1:00 a.m. on June 26, 2010 be approved; and further,

That an exemption to By-Law 98-21, being a By-law Respecting Noise in the Township of Wilmot, to allow for amplified voice and live outdoor music from 9:00 p.m. until 12:00 a.m. on June 26, 2010 at Sir Adam Beck Park be approved.

**CARRIED.**

## **9.2 FINANCE**

### **9.3.1 REPORT NO. FIN 2010-23 2010 Tax Levy By-law**

#### **Resolution No. 2010-107**

Moved by: L. Armstrong

Seconded by: E. Fung

That report FIN 2010-23, prepared by the Director of Finance, regarding the 2010 Tax Levy By-law be received.

**CARRIED.**

**9.4 PUBLIC WORKS****9.4.1 REPORT NO. PW-10-09  
Shade Street Bridge Rehabilitation  
Award of Construction Contract****Resolution No. 2010-108****Moved by: P. Roe****Seconded by: L. Armstrong**

**That the tender submitted by Theo Vandenberg Construction Inc. for the rehabilitation of Structure No. 15/B-NH located on Shade Street in New Hamburg, in the amount of \$691,824.20, plus applicable taxes, be accepted.**

**CARRIED.**

The Director of Public Works identified for Council where the contractor is located and that they had done work for the Township on previous projects.

**9.4.2 REPORT NO. PW-10-10  
Asmus Grace, Seyler and Boulee Street Reconstruction  
Selection of Engineering Consultant****Resolution No. 2010-109****Moved by: L. Armstrong****Seconded by: P. Roe**

**That AECOM be retained to provide consulting engineering services for the proposed reconstruction of Asmus Street, Grace Street, Seyler Street and Boulee Street in New Hamburg as per the Terms of Reference and their Letter of Interest dated April 22, 2010 for the upset fee of \$162,772, plus applicable taxes.**

**CARRIED.**

The Director of Public Works highlighted the report.

The Director of Public Works will clarify for Council the timetable for completion of these projects.

The Director of Public Works confirmed that consideration will be given to the inclusion of the dead ends at Asmus Street and Grace Street and Seyler Street and Boulee Street from Jacob Street to Peel Street in the hot mix paving program for 2013.

**9.4.3 REPORT NO. PW-10-11  
Public Works Activity Report  
January – March 2010****Resolution No. 2010-110****Moved by: P. Roe****Seconded by: L. Armstrong**

**That the Public Works Department Activity Reports for the months of January, February and March 2010 be received for information.**

**CARRIED.**

In response to Council, the Roads Foreman explained that the culvert repair on Berlett's Road was approximately 150 feet east of Sandhills Road.

## **9.5 DEVELOPMENT SERVICES**

### **9.5.1 Building Statistics**

#### **Resolution No. 2010-111**

**Moved by: T. Broda**

**Seconded by: E. Fung**

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

**CARRIED.**

## **9.6 FACILITIES AND RECREATION SERVICES**

### **9.6.1 REPORT NO. PRD-2010-07 Facilities & Recreation Services Activity Report – Jan. to Mar. 2010**

#### **Resolution No. 2010-112**

**Moved by: L. Armstrong**

**Seconded by: E. Fung**

**That the Facilities and Recreation Services Department Activity Reports for the first quarter of 2010 (January to March) be received for information.**

**CARRIED.**

## **9.7 FIRE**

### **9.7.1 REPORT NO. FI 2010-07 Pump Truck Proposal**

#### **Resolution No. 2010-113**

**Moved by: E. Fung**

**Seconded by: P. Roe**

**That the contract to supply a Pump Truck be awarded to Dependable Tank and Truck Limited of Brampton in the amount of \$275,993.00.**

**CARRIED.**

The Fire Chief highlighted the report.

The Fire Chief clarified for Council that the subject truck is for the New Dundee Fire Station.

## **9.8 CASTLE KILBRIDE – no reports**

**10. CORRESPONDENCE****10.1 Castle Kilbride Advisory Committee – Minutes, April 12, 2010****10.2 Waterloo Wellington Local Health Integration Network – WWLH Information, Spring 2010****10.3 Region of Waterloo – Council Info, May 5, 2010****Resolution No. 2010-114****Moved by: T. Broda****Seconded by: L. Armstrong****THAT Correspondence items 10.1 through 10.3 be received for information.****CARRIED.****10.4 City of Waterloo – Resolution Regarding the Negligence Act****Resolution No. 2010-115****Moved by: L. Armstrong****Seconded by: P. Roe****That the Township of Wilmot supports the City of Waterloo's Resolution regarding joint and several liability reform in Ontario as follows:**

- 1) that Council supports the Association of Municipalities of Ontario in its efforts to seek joint and several liability reform in Ontario calls on the Provincial Government to Pursue much needed changes to the Negligence Act; and,**
- 2) that copies of this resolution be forwarded to the Premier of Ontario, Ontario's Minister of Finance, Ontario's Attorney General, the local Member of Provincial Parliament, the Association of Municipalities of Ontario, the Municipal Finance Officers' Association of Ontario, the Federation of Canadian Municipalities and the Waterloo Region Municipalities Insurance Pool.**

**CARRIED.****10.5 Moparfest Committee – Road Designation and No Parking Request****Resolution No. 2010-116****Moved by: L. Armstrong****Seconded by: T. Broda****That, as requested by the Moparfest Committee, Bleams Road east from Peel Street and Jacob Street north to Boullee Street be designated one way from 7:00 am to 6:00 pm on August 21 and 22, 2010; and further,****That no parking be allowed on Jacob Street between Bleams Road and Boullee Street on August 21 and 22, 2010.****CARRIED.**

11. **BY-LAWS**

11.1 **By-law 2010-21 – Final Tax Levy By-law**

**Resolution No. 2010-117**

Moved by: T. Broda

Seconded by: L. Armstrong

THAT By-law No. 2010-21 be read a first, second and third time and finally passed in Open Council.

CARRIED.

12. **NOTICE OF MOTIONS**

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

14. **BUSINESS ARISING FROM CLOSED SESSION**

15. **CONFIRMATORY BY-LAW**

15.1 **By-law No. 2010-22**

**Resolution No. 2010-118**

Moved by: P. Roe

Seconded by: L. Armstrong

THAT By-law No. 2010-22 to Confirm the Proceedings of Council at its Meeting Held on May 10, 2010 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

16. **ADJOURNMENT**

**Resolution No. 2010-119**

Moved by: T. Broda

Seconded by: E. Fung

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