



**TOWNSHIP OF WILMOT
COUNCIL MINUTES
November 2, 2009**

**CLOSED COUNCIL MEETING
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, Clerk 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, Roads Foreman K. Dietrich, Utilities Foreman S. Montgomery

1. MOTION TO GO INTO CLOSED SESSION

Resolution No.2009-229

Moved by: P. Roe

Seconded by: E. Fung

That a Closed Meeting of Council be held on Monday , November 2, 2009 at 6:30 pm in accordance with Section 239 (2) 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**
- e) litigation or potential litigation**
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose**

CARRIED.

2. MOTION TO RECONVENE IN OPEN SESSION

Resolution No.2009-230

Moved by: L. Armstrong

Seconded by: T. Broda

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 October 19, 2009

Resolution No.2009-231

Moved by: L. Armstrong

Seconded by: E. Fung

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

Council Meeting October 19, 2009

CARRIED.

7. **PUBLIC MEETINGS**

8. **PRESENTATIONS/DELEGATIONS**

8.1 **Derek MacNeil, 1250 Berlett's Road
Emergency Services and Township Boundaries**

Mr. D. MacNeil provided Council with the details of the fire that recently took place at the Vogel residence on Wilmot Line, a fire that took place in Erbsville on the same day and a fire that took place on Sunfish Lake in April 2005. He commended the Wilmot Fire Department and their response time but had concerns regarding total response time that includes other agencies. He spoke in favour of cross border fire services agreements with reasonable costs to those covered.

Mayor W. Roth added that this was an unique situation, that it was not a normal event.

In response to inquiries from Councillor P. Roe, Mr. D. MacNeil stated that he lived 2 kilometers from Sunfish Lake.

8.2 **Kevin Thomason, 3-1115 Cedar Grove Road
Emergency Services and Cross Boundary Agreements**

Mr. K. Thomason also commended the Wilmot Fire Department but asked why other, closer, departments were not called out. He highlighted the fire service agreement that he and others on Sunfish Lake have with a neighbouring municipality and discussed other measures that they have taken to protect themselves in the event of fire or other emergency. He urged the use of current technologies and a more efficient system.

Mayor W. Roth stated that living in isolated areas of the municipality have advantages and disadvantages.

Mr. K. Thomason reiterated that part of the answer is innovation and that we need to work together.

Ms. D. Swidrovich asked to address Council.

Resolution No.2009-232

Moved by: P. Roe

Seconded by: L. Armstrong

That the delegation be heard.

CARRIED.

Deb Swidrovich, Wilmot line

Ms. D. Swidrovich informed Council that response from the Waterloo Fire Department to her side of Wilmot line would be 7 to 8 minutes. She reiterated that there is confusion from 911 when calling from the area as to who is to respond. She expressed her concern with loss of life and environmental impact. She stated that there is an opportunity for action and urged Council to act.

Mayor W. Roth commented that the Township is always willing to discuss ways of improving the system. He added that it is a complex process involving various levels of government but that we cannot stop trying to make it better; human life is irreplaceable.

The Fire Chief responded to the delegations comments by correcting that at the April 2005 fire at Sunfish Lake there were fire departments coming from various locations, covering various roads, and that none of them were lost. He confirmed that while the time from the initial 911 call to the time the Wilmot Fire Department arrived at the Vogel property was approximately 50 minutes, the time from when the Department was actually notified was only 19 minutes. He expressed the benefits of taking certain residential measures for fire protection. He thanked the delegations for their comments.

Councillor P. Roe agreed that there can be confusion when calling for emergency services and that time is very important. He listed other rural roads in the Township where this may also be an issue. He reiterated the need for a fire master plan.

Councillor L. Armstrong concurred with Councillor P. Roe stating that the confusion appears to come from dispatch and stressed the need for education on the rural areas.

The Fire Chief confirmed that the Lisbon area has a fire service agreement with a neighbouring municipality and that it was initiated by the residents. He assured Council that the Kitchener dispatchers are highly trained and are familiar with the Township but that he cannot speak for other agencies.

Councillor E. Fung conveyed that his thoughts are with the friends and family of the Vogels. He concurred with earlier statements that the Wilmot Fire department should be commended for their efforts and that fire service agreements with neighbouring municipalities are a good idea.

Resolution No.2009-232

Moved by: P. Roe

Seconded by: T. Broda

That in the interim, the Fire Chief will communicate with Fire Services within the adjoining municipalities to determine measures that could be implemented, prior to the final completion of the new fire master plan and report back to Council.

CARRIED UNANIMOUSLY.

Councillor P. Roe stressed the importance of a coordinated approach for emergency response.

Mayor W. Roth commented that he has attempted to coordinate efforts on a formal and informal basis.

In response to Councillor T. Broda, Mayor W. Roth replied that the Waterloo Regional Police and EMS are both working on boundary issues within the Region and that formal agreements need to be in place. He added that if the residents have the will, this can happen fairly quickly.

9. REPORTS

9.1 CAO – no reports

9.2 CLERKS

9.2.1 REPORT NO. CL 2009-34 Proposed Traffic and Parking Bylaw Amendment

Resolution No.2009-233

Moved by: T. Broda

Seconded by: L. Armstrong

That the following amendment be made to By-law No. 2006-44, Being a By-law To Regulate Parking and Traffic within the Township of Wilmot:

- 1. That the existing Schedule “18”, Part XIV-Section 1 – Rates of Speed (km/h) to said By-law No. 2006-44 be amended by adding reference to:**
 - 40 km/h on Livingston Boulevard, Baden, from Isaac Shantz Drive to Jacob Cressman Drive**

CARRIED.

The Clerk responded to inquiries on other matters relating to traffic and parking at the school by stating that No Parking signs are being installed on either side of the walkways leading to the school.

9.3 FINANCE – no reports

9.4 PUBLIC WORKS

9.4.1 REPORT NO. PW-09-17 Roads & Utilities Service Vehicles Award of Tender

Resolution No.2009-234

Moved by: L. Armstrong

Seconded by: P. Roe

That the tender submitted by Weiland Ford Sales Ltd. for two (2) service vehicles in the amount of \$117,729.72, (plus GST), be accepted.

CARRIED.

**9.4.2 REPORT NO. PW-09-18
Bridge Weight By-Law**

Resolution No.2009-235

Moved by: E. Fung

Seconded by: P. Roe

That Council approves amendments to By-Law No. 2006-11 Bridge Weight by-Law General.

CARRIED.

The Director of Public Works highlighted the report.

In response to Council inquiries, the Director replied that the bridge is a steel structure that is prone to rusting with age.

**9.4.3 REPORT NO. PW-09-19
Shade Street Bridge Rehabilitation
Selection of Engineering Consultant**

Resolution No.2009-236

Moved by: T. Broda

Seconded by: L. Armstrong

That K. Smart Associates Limited be retained to provide consulting engineering services for the rehabilitation of Bridge No. 15/B-NH located on Shade Street as per the Terms of Reference and their Letter of Interest dated October 22, 2009 for the upset fee of \$62,190.00 (plus GST).

CARRIED.

The Director of Public Works highlighted the report

Members of Council inquired if the reconstruction would be similar to the work on the bridge on Christner Road. The Director responded that this is a steel structure unlike the one on Christner Road that would not have an asphalt surface as that would increase the weight. He then clarified that signs would be posted at the nearest intersections to advise of the weight restrictions.

9.5 DEVELOPMENT SERVICES – no reports

9.6 FACILITIES AND RECREATION SERVICES – no reports

9.7 FIRE – no reports

9.8 CASTLE KILBRIDE – no reports

10. CORRESPONDENCE

- 10.1 Association of Municipalities of Ontario – Waste Diversion Act Review (Alert No. 09-070)**
- 10.2 Association of Municipalities of Ontario – Bill 168, Violence & Harassment in the Workplace**
- 10.3 Ministry of Municipal Affairs and Housing – Municipal Internship Program**
- 10.4 Township of Wainfleet – Ministry of Natural Resources Provincially Significant Wetlands**
- 10.5 Association of Municipalities of Ontario – Waste Diversion Act Review (Alert No. 09/075)**
- 10.6 Corporation of the County of Perth – Resolution of Perth County Council regarding Residential-Farmland Property Tax Concerns**

Resolution No.2009-237**Moved by: L. Armstrong****Seconded by: E. Fung****THAT Correspondence items 10.1 to 10.5 be received for information.****CARRIED.****Resolution No.2009-238****Moved by: L. Armstrong****Seconded by: E. Fung****WHEREAS** the 2009 Provincial assessment data included incorrect values in the Residential class that should have been included in the Farmland class; and**WHEREAS** such incorrect values will be adjusted by MPAC for the affected taxpayers by the Post Roll Amended Notices, but for which such adjustments may create a budget shortfall for municipalities by having to write-off the differences; and**WHEREAS** outstanding building permits not processed in a timely manner affect municipalities' revenue and could offset such write-offs; and**WHEREAS** incorrect values in the RT and FT class have an impact on the OMPF calculations for both 2009 and 2010;**NOW THEREFORE BE IT RESOLVED THAT** MPAC be requested to provide additional, proactive reporting to municipalities to disclose such pending assessment changes in the future; and**THAT** MPAC be requested to process the outstanding building permits to ensure that no Assessment revenue is lost, and that new permits be processed in a timely manner; and**THAT** the Ministry of Finance be requested to reconcile the 2009 OMPF, and to adjust the 2010 OMPF calculations to their proper values; and**THAT** a copy of this resolution be forwarded to the Association of Municipalities of Ontario, the Hon. Leeanna Pendergast, M.P.P. and the Minister of Finance.**CARRIED.**

11. **BY-LAWS**

11.1 By-Law 2009-43, Being a Bridge Weight By-law

11.2 By-Law 2009-44, Being a By-law to Amend the Traffic and Parking By-law

Resolution No.2009-239

Moved by: L. Armstrong

Seconded by: T. Broda

That By-law Nos. 2009-43 and 2009-44 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**

Resolution No.2009-240

Moved by: P. Roe

Seconded by: L. Armstrong

That Confidential Report No. CL2009-29 dated November 2, 2009 and prepared by the Senior Municipal Law Enforcement Officer, be endorsed.

15. **CONFIRMATORY BY-LAW**

15.1 By-law No. 2009-45

Resolution No.2009-241

Moved by: T. Broda

Seconded by: L. Armstrong

THAT By-law No. 2009-45 to Confirm the Proceedings of Council at its Meeting Held on November 2, 2009 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

16. **ADJOURNMENT**

Resolution No.2009-242

Moved by: E. Fung

Seconded by: P. Roe

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

CARRIED.

Mayor

Clerk