



**TOWNSHIP OF WILMOT  
COUNCIL MINUTES  
October 5, 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 Development Services H. O'Krafka, Fire Chief J. Ritz, Director of Finance R. Tse, Curator/Director of Castle Kilbride T. Loch, Manager of Accounting P. Kelly, Senior Municipal Law Enforcement Officer D. Wallace, Manager of Parks and Facilities G. Dubrick

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

**Resolution No.2009-198**

**Moved by: T. Broda**

**Seconded by: E. Fung**

**That a Closed Meeting of Council be held on Monday , October 5, 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.**

**CARRIED.**

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

**Resolution No.2009-199**

**Moved by: P. Roe**

**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**

Councillor E. Fung disclosed a pecuniary conflict of interest regarding item 9.5.1 due to family relationship.

6. **MINUTES OF PREVIOUS MEETINGS**

6.1 Council Meeting September 14, 2009

**Resolution No.2009-200**

Moved by: L. Armstrong

Seconded by: P. Roe

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

Council Meeting September 14, 2009.

**CARRIED.**

7. **PUBLIC MEETINGS**

8. **PRESENTATIONS/DELEGATIONS**

9. **REPORTS**

9.1 CAO

9.1.1 REPORT NO. CAO 2009-05  
Updated 2009 Municipal Work Program

**Resolution No.2009-201**

Moved by: E. Fung

Seconded by: L. Armstrong

That the updated 2009 Municipal Work Program, as per the report dated October 5, 2009, prepared by the Chief Administrative Officer, be endorsed.

**CARRIED.**

The CAO highlighted the report.

In response to Councillor T. Broda, the Director of Public Works confirmed that he will discuss with the Road Foreman a temporary measure for the repair of potholes on Catherine Street and Steinman Street and that all roads being hard surfaced in 2010 have been prepared.

The Fire Chief advised Council that, upon completion, the appendix to the emergency plan would be given to Council for adoption and that it would be prior to 2010.

In regards to sidewalks and mudjacking, the Director of Public Works responded that the unspent budgeted funds would be allocated to \$50,000.00 to Waterloo Street sidewalks and the remainder going to the other settlement areas, the Engineering Technician is working on the breakdown. He

continued that the school board, Region and the Township would be cost sharing the sidewalks for the new school in Baden.

The CAO added that the linkages to the school would be incorporated into the 2009 budget.

In response to Councillor T. Broda, The Director of Public Works confirmed that staff would break down the sidewalk expenditures by new construction and mudjacking during the budget process.

## **9.2 CLERKS**

### **9.2.1 REPORT NO. CL 2009-26 Proposed Addition to the 2010 Council Meeting Schedule**

#### **Resolution No.2009-202**

**Moved by: T. Broda**

**Seconded by: P. Roe**

**That Tuesday, February 16, 2010 be added to the 2010 Council Meeting Schedule.**

**CARRIED.**

### **9.2.2 REPORT NO. CL 2009-27 Optimist Club of New Hamburg Raffle Lottery Licence**

#### **Resolution No.2009-203**

**Moved by: L. Armstrong**

**Seconded by: T. Broda**

**That the application from the Optimist Club of New Hamburg be authorized for a raffle licence for a classic automobile to be awarded at the annual Moparfest event on August 21, 2010 in addition to four early bird prizes with a total value of \$40,500.00; and further**

**That the authorization to grant this raffle licence be conditional that the lottery be conducted in accordance with the Ministry of Consumer and Commercial Relations, the Lottery Licensing Policy Manual Guidelines on lotteries and raffles, Township of Wilmot Lottery Licensing Policies, and any conditions that the Township places on the administration of the lottery.**

**CARRIED.**

**9.2.3 REPORT NO. CL 2009-28  
Request for Temporary Road Closure of Peel Street  
Lions and Lioness Clubs of New Hamburg  
Annual Tree of Light Project**

**Resolution No.2009-204**

**Moved by: P. Roe**

**Seconded by: T. Broda**

**That the request from the Lion and Lioness Clubs of New Hamburg to close Peel Street from Huron Street to Burns Street in New Hamburg on Friday, December 4, 2009 from 6:00 p.m. until 9:00 p.m. for the 24<sup>th</sup> Annual Tree of Light project be approved,, subject to the applicant meeting the requirements of the Township's Special Event Permit Policy.**

**CARRIED.**

**9.2.4 REPORT NO. CL 2009-29  
Release and Abandonment of Easement  
Over Part 1, Plan 58R-16444  
Township of Wilmot, Region of Waterloo**

**Resolution No.2009-205**

**Moved by: T. Broda**

**Seconded by: L. Armstrong**

**THAT the request to release and abandon the easement over Part 1, Plan 58R-16444, 430 Waterloo Street, New Hamburg, Township of Wilmot, Region of Waterloo, be approved.**

**CARRIED.**

**9.3 FINANCE**

**9.3.1 REPORT NO. FIN 2009-27  
Capital Program Review as of September 30, 2009**

**Resolution No.2009-206**

**Moved by:**

**Seconded by: E. Fung**

**That the Capital Program Review, as of September 30, 2009, as prepared by the Manager of Accounting, be received for information purposes.**

**CARRIED.**

The Manager of Accounting highlighted the report.

In response to Councillor T. Broda's inquiries on the "WRC – Lower Penalty Box/Timekeeper Glass" line item, the Manager of Parks and Facilities replied that meetings have occurred with the interested parties and a quote has been received.

Mayor W. Roth added that a response will be forthcoming from the Director of Facilities and Recreation Services and that a report would be brought forward if costs exceed the budgeted amount.

**9.3.2 REPORT NO. FIN 2009-28**  
**Statement of Operations as of September 30, 2009 (un-audited)**

**Resolution No.2009-207**

**Moved by: P. Roe**

**Seconded by: L. Armstrong**

**That the Statement of Operations as of September 30, 2009, as presented by the Manager of Accounting, be received for information purposes.**

**CARRIED.**

The Manager of Accounting highlighted the report.

**9.4 PUBLIC WORKS – no reports**

**9.5 DEVELOPMENT SERVICES**

**9.5.1 REPORT NO. PB 2009-26**  
**Release of Subdivision Agreement Instrument # 967202**  
**DONRICH Developments Ltd.**  
**New Dundee**

Councillor E. Fung disclosed a pecuniary conflict of interest due to family relationship and did not take part in the discussion or subsequent voting thereof.

**Resolution No.2009-208**

**Moved by: L. Armstrong**

**Seconded by: P. Roe**

**That the Mayor and Clerk be authorized to execute the necessary documents to release Subdivision Agreement 967202 with the applicant being responsible for all fees related to the preparation and registration of the release.**

**CARRIED.**

**9.6 FACILITIES AND RECREATION SERVICES**

**9.6.1 REPORT NO. PRD-2009-12**  
**Facilities & Recreation Services Activity Report – Apr. to Sep. 2009**

**Resolution No.2009-209**

**Moved by: T. Broda**

**Seconded by: L. Armstrong**

**That the Facilities and Recreation Services Department Activity Reports for the first quarter of 2009 (April to September) be received for information.**

**CARRIED.**

Mayor W. Roth responded to Councillor T. Broda's inquiries regarding the policies for the concession stand at the New Hamburg Grandstand by stating that staff could prepare a report on

the policy in comparison to other concession stands in the Township and with reference to historical background.

**9.6.2 REPORT NO. PRD-2209-13  
WRC Phase 2 – Elevator**

**Resolution No.2009-210**

**Moved by: P. Roe**

**Seconded by: E. Fung**

**That Option “A” be selected with respect to the installation of a second elevator at the Wilmot Recreation Complex.**

**CARRIED UNANIMOUSLY.**

Councillor L. Armstrong suggested Option A for the recommendation citing that although a single elevator seemed sufficient at the time, the Accessibility Committee has a strong feeling towards adding a second elevator.

Councillor P. Roe concurred with Councillor L. Armstrong.

Councillor E. Fung echoed the member’s comments, adding that staff and the architect have found a nice solution.

Councillor T. Broda indicated his desire to have the Accessibility Committee’s input during the early stages of facility design and asked where the funding for the elevator will come from.

Mayor W. Roth stated that the hope is for the funding to be found during the tendering process for Phase II. He further commented that he feels one elevator would have been sufficient but that given the ability to fund the second elevator it is a nicety.

Councillor E. Fung added that it is Council’s prerogative to listen to all professionals during the design of a new facility.

**9.7 FIRE – no reports**

**9.8 CASTLE KILBRIDE**

**9.8.1 REPORT NO. CK-10-09  
Quarterly Activity Report  
(July, August and September 2009)**

**Resolution No.2009-211**

**Moved by: L. Armstrong**

**Seconded by: P. Roe**

**That the Castle Kilbride Activity Report for the months of July, August and September 2009 be accepted for information purposes.**

**CARRIED.**

The Director/Curator of Castle Kilbride highlighted the report.

**10. CORRESPONDENCE****10.1 Grand River Conservation Authority – GRCA Minutes, September 2009****10.2 Association of Municipalities of Ontario – AMO's Message to the Province: Accessibility and Municipalities at Risk with Initial Proposed Built Environment Standard****10.3 Region of Waterloo – Council Info, September 23, 2009****Resolution No.2009-212****Moved by: L. Armstrong****Seconded by: P. Roe****THAT Correspondence items 10.1 to 10.3 be received for information.****CARRIED.****11. BY-LAWS****11.1 By-Law 2009-39 – Being a Tile Rating By-law****Resolution No.2009-213****Moved by: E. Fung****Seconded by: L. Armstrong****That By-law No. 2009-39 be read a first, second and third time and finally passed in Open Council.****CARRIED.****12. NOTICE OF MOTIONS****13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS****13.1 Councillor P. Roe inquired if staff had investigated the funding opportunities for broadband in rural areas. The Director of Finance responded that it had been reviewed but that it was not appropriate for the Township.**

Mayor W. Roth added that the Regional Library staff had also looked into the funding and found that it was primarily aimed at northern communities.

**14. BUSINESS ARISING FROM CLOSED SESSION****14.1****Resolution No.2009-214****Moved by: L. Armstrong****Seconded by: E. Fung****THAT Confidential Report No. CL2009-21, prepared by the Senior Municipal Law Enforcement Officer, dated October 5, 2009, be endorsed.****CARRIED.**

15. **CONFIRMATORY BY-LAW**

15.1 **By-law No. 2009-40**

**Resolution No.2009-215**

Moved by: L. Armstrong

Seconded by: E. Fung

THAT By-law No. 2009-40 to Confirm the Proceedings of Council at its Meeting Held on October 5, 2009 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

16. **ADJOURNMENT**

**Resolution No.2009-216**

Moved by: E. Fung

Seconded by: P. Roe

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