



**TOWNSHIP OF WILMOT  
COUNCIL MINUTES  
MONDAY, APRIL 7, 2014**

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

**Members Present:** Mayor L. Armstrong, Councillors A. Junker, P. Roe, B. Fisher, J. Gerber, M. Murray

**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 M. Raine, Director of Finance R. Tse, Curator/Director of Castle Kilbride T. Loch, Manager of Accounting P. Kelly, Assistant Curator S. Gropp, Senior Municipal Law Enforcement Officer D. Wallace, Municipal Law Enforcement Officer K. Way

1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)
2. MOTION TO RECONVENE IN OPEN SESSION
3. MOMENT OF SILENCE

Following the moment of silence, Mayor L. Armstrong welcomed the audience viewing at home to the Council Meeting and thanked Rogers Cable 20 for broadcasting the meeting.

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

None disclosed.

**6. MINUTES OF PREVIOUS MEETINGS**

6.1 Council Meeting Minutes March 24, 2014

**Resolution No. 2014-64**

Moved by: B. Fisher

Seconded by: M. Murray

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

Regular Council Meeting March 24, 2014.

**CARRIED, AS AMENDED.**

Councillor A. Junker advised that the questions concerning the box culvert on Haysville Road were asked by him and requested that the Minutes be changed to reflect this.

## **7. PUBLIC MEETINGS**

## **8. PRESENTATIONS/DELEGATIONS**

### **8.1 Willow Creek Kennel Application**

#### **8.1.1 REPORT NO. CL 2014-07 Willow Creek Bernedoodles Kennel Application 3532 Erb's Rd. Baden Township of Wilmot**

#### **Resolution No. 2014-65**

**Moved by: P. Roe**

**Seconded by: A. Junker**

**THAT Report No C12-14-07 be received for information.**

**CARRIED.**

Mayor L. Armstrong announced that this is a public consultation being held pursuant to By-law No. 2008-01 to consider an application for a new kennel by Ron and Janelle Kuepfer of 3532 Erb's Road in Baden for 20 Bernedoodle dogs. He advised that the adjacent property owners within 150 meters of the subject property had been notified of the application and will be given an opportunity to provide comment on the application.

The Director of Clerk's Services highlighted the report.

Mayor L. Armstrong asked if anyone wished to speak on the application. No one came forward.

Mayor L. Armstrong asked if the applicant wished to address to Council.

#### **Ron Kuepfer, 3532 Erb's Road**

Mr. Kuepfer advised Council that he has spoken with his two closest neighbours and that he provided them with the details of his plans for the kennel. He explained to Council what type of dogs he will be breeding and what the general temperament of the dog is. He also told Council that he will gladly address any concerns his neighbours may have with the kennel, if and when they occur.

Mr. Kuepfer responded to Councillor P. Roe regarding the distance requirement shortfall by stating that he had spoken with his neighbour on the matter and that, his understanding was, his neighbour's concerns were not over the distance so much as the notification process regarding the distance requirement shortfall. Mr. Kuepfer requested that Mr. Etue elaborate.

#### **Michael Etue, 3554 Erb's Road**

Mr. Etue, the closest neighbour, advised Council that his concerns were in regards to understanding the requirements of the by-law, the notification of the distance requirement shortfall and his ability to raise potential future concerns with the kennel. He stated that it would be his intention to discuss any matters

with Mr. Kuepfer directly, if the need arises, but wants to know that he would still have an avenue for resolving concerns in the future.

Mayor L. Armstrong advised Mr. Etue that the Township would want to have the neighbours in favour of the kennel but it is Council that would grant the approval. As to the distance requirement, Mayor L. Armstrong noted that it was an error on the application that would have been detected by staff by this point in the process.

The Director of Clerk's Services advised that the applicant intends to place the outdoor pen for the dogs on the south side of the kennel building and that some noise will be mitigated by the structure.

Mr. Kuepfer added with regards to noise that he had spoken with other breeders that the Bernedoodle breed is a relatively calm and quiet dog. As with most dogs, visual and auditory cues are what can cause barking and that he will use screens and insulation on the structure to mitigate noise. He concluded by stating that his last resort would be to use an anti-bark collar.

Mayor L. Armstrong noted that, if the licence is granted, any concerns that are raised would still be addressed by staff as required.

The Director of Clerk's Services advised Council that staff conducts two inspections annually and would conduct more if required to address concerns.

Councillor J. Gerber suggested that an agreement between neighbours would be a positive action to take.

**8.2 Paul Mackie, Treasurer  
Anthony Richardson, President  
Gregg Murtagh, Director  
New Hamburg Lion's Club Cheque Presentation  
Wilmot Recreation Complex Donation**

Mr. Mackie introduced himself and the other members of the New Hamburg Lion's Club in attendance. He then presented Mayor L. Armstrong with a donation cheque for \$15,000. The Club had pledged \$75,000 over ten years to the Wilmot Recreation Complex and this cheque represented the final two payments.

**8.3 Nick Bogaert, Chair  
Heritage Wilmot Advisory Committee  
Council Update**

Mr. Bogaert provided Council with a highlight of the Heritage Walking Tour programs assembled by the Heritage Wilmot Advisory Committee. He showed Council the original brochures and the new brochures which have been updated as new information had become available for the three settlement areas. He summarized the content of the individual brochures and how they tie together with a "master map" for the Heritage Walking Tours.

Mayor L. Armstrong stated that the brochures have been very well done and are impressive.

Councillor B. Fisher noted how Wilmot is an area that is rich with history and that this is a great program for visitors. He congratulated the Committee on their work.

Councillor A. Junker echoed the sentiments of the other members of Council and thanked Mr. Bogaert for his leadership on the Committee. He commended the Committee on their great work and expressed his opinion on the visual appeal of the brochures with the historic photos.

**8.4 Cassidy Egerdeen, Relay for Life Event Chair  
Nick Kuttis, Incoming Co-President  
Waterloo Oxford Youth Activity Council  
Relay For Life**

**8.3.1 REPORT NO. CL 2014-10  
Noise By-law Exemption Request  
Waterloo-Oxford District Secondary School, Baden  
Relay for Life Event**

**Resolution No. 2014-66**

**Moved by: M. Murray**

**Seconded by: J. Gerber**

**THAT an exemption to the Noise By-law as requested by Waterloo – Oxford District Secondary School, Baden for the purpose of the ‘Relay for Life’ Event commencing Friday, May 9, 2014 at approximately 7:00 p.m. to 7:00 a.m. on Saturday, May 10, 2014 be granted.**

**CARRIED.**

Councillor J. Gerber introduced Miss Egerdeen and Mr. Kutis to provide Council with an overview of the Relay for Life event.

Mr. Kuttis provided Council with an overview of the fundraising aspect of the event and Miss Egerdeen highlighted the various components of the event itself. A short video was played for Council that showed highlights from the event that occurred in 2012. Miss Everdeen discussed the activities that have already occurred in conjunction with the Relay for Life and what will be happening leading up to the event. She advised Council of the \$354,000 in funds that Waterloo-Oxford has raised since 2010 through the Relay for Life. Mr. Kuttis concluded the presentation by expressing their appreciation for the Township’s support of the event.

Councillor A. Junker advised that he attended the event two years ago and that he was impressed with the event and congratulated the students on doing such a great job in raising funds for cancer research.

Councillor P. Roe stated that he had also attended the 2012 event but will be unable to attend this year. He noted how his family had been personally touched by cancer and that he is glad to see progress is being made.

**9. REPORTS**

**9.1 CAO – no reports**

**9.2 CLERKS**

**9.2.1 REPORT NO. CL 2014-11  
Castle Kilbride Summer Concert Series Noise By-Law Exemption  
and Amending By-law Update**

**Resolution No. 2014-67**

**Moved by: A. Junker**

**Seconded by: P. Roe**

**THAT an exemption to By-law 98-21, being a By-law to Regulate Noise in the Township of Wilmot, be granted to Castle Kilbride for summer evening events occurring July 3, 10, 17, 24, 31 and August 7, 14, 21, 28 2014 from 7:00 p.m. to 8:00 p.m. concerning amplified live music;**

**AND FURTHER THAT Schedule A of By-law No. 2007-17 be amended to include the Castle Kilbride Summer Concert Series and to remove the Bridging the Gap Arts and Music Festival.**

**CARRIED.**

The Deputy Clerk highlighted the report.

Mayor L. Armstrong noted for Council that the list of concerts and performers is posted on the Castle Kilbride website.

**9.2.2 REPORT NO. CL 2014-12  
Appointment of Engineer  
Petition for Municipal Drainage Works  
For Lands East Side of Trussler Road, Mannheim  
(Between Ottawa Street / Bleams Road and Highway 7 & 8)  
Township of Wilmot, Regional Municipality of Waterloo**

**Resolution No. 2014-68**

**Moved by: M. Murray**

**Seconded by: B. Fisher**

**THAT Dietrich Engineering of 155 Frobisher Drive, Waterloo be appointed as the Engineer relative to the Petition from the Region of Waterloo and Activa Group regarding 468 Trussler Road, Mannheim (Part Lot 46, German Company Tract), City of Kitchener (westerly part of parcel on the east side of the road approximately halfway between Ottawa Street / Bleams Road and Highway 7 & 8) and be authorized to prepare a report under Section 8 (1) of the Drainage Act, R.S.O. 1990, Chapter D. 17.**

**CARRIED.**

The Deputy Clerk highlighted the report.

**9.3 FINANCE**

**9.3.1 REPORT NO. FIN 2014-15  
Statement of Operations as of March 31, 2014 (un-audited)**

**Resolution No. 2014-69**

**Moved by: A. Junker**

**Seconded by: J. Gerber**

**THAT the Statement of Operations as of March 31, 2014, as prepared 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 – no reports**

**9.6 FACILITIES AND RECREATION SERVICES**

**9.6.1 REPORT NO. PRD-2014-04  
Funding from the Ontario Trillium Foundation**

**Resolution No. 2014-70**

**Moved by: M. Murray**

**Seconded by: A. Junker**

**THAT the Mayor and Clerk be authorized to execute the agreement between the Corporation of the Township of Wilmot and the Ontario Trillium Foundation for funding towards the construction of the Wilmot Splashpad.**

**CARRIED.**

Mayor L. Armstrong noted that the amount of the funding received from the Ontario Trillium Foundation was \$130,000.

**9.7 FIRE**

**9.7.1 REPORT NO. FI 2014-04  
Quarterly Activity Report**

**Resolution No. 2014-71**

**Moved by: P. Roe**

**Seconded by: M. Murray**

**THAT the Fire Department Activity Report for the first quarter of 2014 be received for information purposes.**

**CARRIED.**

**9.7.2 REPORT NO. FI 2014-03  
Fire Service Facility Needs Assessment**

**Resolution No. 2014-72**

**Moved by: A. Junker**

**Seconded by: M. Murray**

**THAT Council endorse the Fire Service Facility Needs Assessment, as prepared by Emergency Management and Training Inc. (EMT); and further**

**THAT the recommendations included within the report be incorporated into the Township of Wilmot 10-year Capital Forecast for Fire Services.**

**CARRIED.**

The Fire Chief highlighted the report.

Councillor B. Fisher stated that he was pleased to see the report and that the Township will be investing in the facilities. He further noted how the Wilmot Firefighters are a community minded group who give back to the community in a number of ways.

Councillor P. Roe indicated that he felt this is a very comprehensive report and that it is a sensible plan to allocate the maintenance costs over a number of years. He cited this plan as another example of responsible facility maintenance practice for the Township.

## **9.8 CASTLE KILBRIDE**

### **9.8.1 REPORT NO. CK 2014-02 Quarterly Activity Report – January, February & March 2014**

#### **Resolution No. 2014-73**

**Moved by: P. Roe**

**Seconded by: A. Junker**

**THAT the Castle Kilbride Activity Report for the months of January, February & March be accepted for information purposes.**

**CARRIED.**

The Curator/Director of Castle Kilbride highlighted the report and advised Council of the new exhibit in the Castle, Flax Empire: 150th of J&J Livingston Linseed Oil.

## **10. CORRESPONDENCE**

- 10.1 Grand River Conservations Authority – Grand Actions, March/April 2014**
- 10.2 Grand River Conservations Authority – Annual General Meeting, February 28, 2014**
- 10.3 Association of Municipalities of Ontario – Bill 69, The Prompt Payment Act Put Aside; Government Announces Construction Liens Act Review**

#### **Resolution No. 2014-74**

**Moved by: B. Fisher**

**Seconded by: M. Murray**

**THAT Correspondence Items 10.1 to 10.3 be received for information.**

**CARRIED.**

## **11. BY-LAWS**

- 11.1 By-law No. 2014-14 – By-law to Authorize the Execution of the Agreement with the Ontario Trillium Fund**
- 11.2 By-law No. 2014-15 – By-Law To Amend Schedule A Of By-Law 2007-17, Permanent Exemptions To The Noise By-Law**

**Resolution No. 2014-75****Moved by: M. Murray****Seconded by: P. Roe****THAT By-law Nos. 2014-14 and 2014-15 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 J. Gerber advised Council that this is National Volunteer Week. He noted that Wilmot has many wonderful volunteers that work with many different organizations. He expressed his thanks for the work they do.

Mayor L. Armstrong echoed Councillor J. Gerber's comments and spoke of how much volunteers add to a community.

- 13.2 Councillor B. Fisher requested that the Director of Public Works and the Fire Chief provide their staff with his commendation for the excellent work they have done in recent months given the severe winter and the toll it has taken on the roads and the unfortunate increase in fires that have occurred in Wilmot.

- 13.3 Mayor L. Armstrong advised Council of the Open House occurring on April 15 from 7:00 to 9:00 P.M. at the New Hamburg Community Centre and Arena to unveil the renovation works completed thanks to the Federal Economic Development Agency for Southern Ontario Funding.

**14. BUSINESS ARISING FROM CLOSED SESSION****15. CONFIRMATORY BY-LAW****15.1 By-law No. 2014-16****Resolution No. 2014-76****Moved by: M. Murray****Seconded by: A. Junker****THAT By-law No. 2014-16 to Confirm the Proceedings of Council at its Meeting held on April 7, 2014 be introduced, read a first, second, and third time and finally passed in Open Council.****CARRIED.**



**16. ADJOURNMENT (7:58 P.M.)**

**Resolution No. 2014-77**

**Moved by: P. Roe**

**Seconded by: M. Murray**

**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**