



**TOWNSHIP OF WILMOT  
COUNCIL MINUTES  
MONDAY, FEBRUARY 10, 2014**

**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, Curator/Director of Castle  
Kilbride T. Loch, Planner/EDO A. Martin, IT Systems Administrator K. Jeffrey,  
Manager of Accounting P. Kelly, Manager of Revenue T. Wendland, Assistant  
Curator S. Gropp, Senior Municipal Law Enforcement Officer D. Wallace, Aquatics  
Manager A. Bylsma, Parks and Facilities Manager G. Dubrick, Manager of  
Recreation and Community Services V. Luttenberger**

**1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**

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

**3. MOMENT OF SILENCE**

**4. ADDITIONS TO THE AGENDA**

**4.1 Correspondence 10.7 – Region of Waterloo – 2014 Planning and Works Project Team  
Membership; and,**

**Correspondence 10.8 – Association of Municipalities of Ontario - Recent Developments in  
Joint and Several Liability – Municipal Action Needed**

**Resolution No. 2014-14**

**Moved by: A. Junker**

**Seconded by: P. Roe**

**THAT Correspondence 10.7 – Region of Waterloo – 2014 Planning and Works Project Team  
Membership and Correspondence 10.8 – Association of Municipalities of Ontario - Recent  
Developments in Joint and Several Liability – Municipal Action Needed, be added to the Agenda.**

**CARRIED.**

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

Councillor B. Fisher declared a conflict with regards to Item 7.1 because he is an adjacent property owner to the proposed development.

## **6. MINUTES OF PREVIOUS MEETINGS**

### **6.1 Council Meeting Minutes January 13, 2014**

#### **Resolution No. 2014-15**

**Moved by: B. Fisher**

**Seconded by: A. Junker**

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

**Regular Council Meeting January 13, 2014.**

**CARRIED.**

## **7. PUBLIC MEETINGS**

- 7.1 REPORT NO. DS 2014-04  
Official Plan Amendment Application 01/13  
Zone Change Application 08/13  
Labreche Patterson & Associates Inc. / Westcap Development Inc.  
296, 302 and 308 Snyder's Road East / Brubacher Street, Baden**

#### **Resolution No. 2014-16**

**Moved by: M. Murray**

**Seconded by: P. Roe**

**That Report DS 2014-04 be received for information.**

**CARRIED.**

Councillor B. Fisher declared a conflict with regards to this item and did not take part in the discussion or subsequent voting thereof.

Mayor Armstrong declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Ontario Municipal Board, the Board has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor Armstrong stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website.

The Planner/EDO highlighted the report.

Mayor L. Armstrong asked if there were questions of a technical nature from Council. There were none.

Mayor Armstrong asked if the applicant wished to address Council.

Scott Patterson from Labreche Patterson & Associates Inc. introduced himself and Glen Anderson. He noted for Council that the only changes to the application since the previous public meeting included an increase in the number of units and an increase in parking spaces in the Snyder's Road East portion of the development that arose from Ministry of the Environment changes concerning setbacks for the purpose of noise mitigation. The Brubacher Street facing portion of the development has been left unchanged.

Mayor L. Armstrong asked if there were any questions from Council. There were none.

Mayor Armstrong asked if anyone else wished to address Council.

**Dave Fewster, 288 Snyder's Road East**

Mr. Fewster advised Council that he met with Mr. Patterson which provided some clarity on questions he had concerning the development. He stated that he continues to have concerns for decreases in property values and privacy with the development. He concluded by noting that he is pleased with the type of ownership being proposed for the condominium development.

**Karen Owen, 312 Snyder's Road East**

Ms. Owen informed Council that she has been looking for a similar development within the Township to the one being proposed where this type of housing abuts single family homes but that she could not find one. She asserted that the height for the units is not desirable and she requests that Council deny the application.

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

**8. PRESENTATIONS/DELEGATIONS**

**9. REPORTS**

**9.1 CAO**

**9.1.1 REPORT NO. CAO 2014-01  
Regional Economic Development Strategy Update**

**Resolution No. 2014-17**

**Moved by: P. Roe**

**Seconded by: A. Junker**

**THAT report CAO-14-01 be received; and,**

**THAT the Province of Ontario be requested to amend the Table in Section 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25, to add the Regional Municipality of Waterloo to the list of Upper-tier Municipalities that are assigned "non-exclusive" legislative authority to participate in the assigned sphere of "Acquisition, development, and disposal of sites for industrial, commercial and institutional uses."**

**CARRIED.**

The CAO highlighted the report.

In response to Councillor J. Gerber, the CAO advised Council that this resolution is proposing a change in the Act so that both levels of municipal government are included in the assigned sphere. He added that further dialogue will occur to establish policies with regards to this authority.

Mayor L. Armstrong added that the upper tier and lower tier municipalities would be working together as partners.

## **9.2 CLERKS**

### **9.2.1 REPORT NO. CL 2014-01 Renewal of Lease Agreement with Wilmot Heritage Fire Brigades 10 Bell Drive, Baden**

#### **Resolution No. 2014-18**

**Moved by: M. Murray**

**Seconded by: B. Fisher**

**THAT Report No. CL2014-01, dated February 10, 2014 regarding the renewal of the lease agreement with Wilmot Heritage Fire Brigades at 10 Bell Drive, Baden be endorsed, and further;**

**THAT the Mayor and Clerk be authorized to sign the associated by-law and agreement.**

**CARRIED.**

### **9.2.2 REPORT NO. CL 2014-03 Petition from Region of Waterloo / Activa Group 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. 2014-19**

**Moved by: A. Junker**

**Seconded by: J. Gerber**

**THAT the Township of Wilmot accept the Petition for Municipal Drainage Works received from The Regional Municipality of Waterloo and the Activa Group for 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 authorize the Clerk to proceed accordingly under The Drainage Act.**

**CARRIED.**

In response to Councillor A. Junker, the Director of Clerk's Services advised Council that the purpose of the petition is to provide an outlet for the drain into Alder Creek.

Councillor A. Junker then surmised that the financial impact for the residents of Mannheim will not be known until the Engineer's Report is filled, the Director agreed.

**9.2.3 REPORT NO. CL 2014-04  
By-law Enforcement  
Quarterly Activity Report  
October 1<sup>st</sup>, to December 31<sup>st</sup>, 2013**

**Resolution No. 2014-20**

**Moved by: P. Roe**

**Seconded by: B. Fisher**

**THAT the Enforcement Activity Report for October 1<sup>st</sup>, to December 31<sup>st</sup>, 2013 be received for information purposes.**

**CARRIED.**

The Senior Municipal Law Enforcement Officer highlighted the report.

The Senior MLEO clarified for Councillor A. Junker that the four dumping investigations were in three different areas.

Councillor P. Roe inquired as to the decrease in animal related calls. The Senior MLEO responded that residents have been better educated on the regulations and the costs they could incur as a result of non-compliance.

In response to Councillor B. Fisher, the Senior MLEO informed Council that snow and ice complaints have risen in January and February of 2014 compared to the last quarter of 2013 due to the significant winter storms occurring since the Christmas season.

**9.2.4 REPORT NO. CL 2014-05  
Proposed Amending By-law to Rename a Portion of Deerfield Avenue to  
Deerfield Extension, Petersburg**

**Resolution No. 2014-21**

**Moved by: P. Roe**

**Seconded by: B. Fisher**

**THAT the Mayor and Clerk be authorized to sign the associated amendment to By-law 1980-06, (Being a By-law to Confirm the Opening of Deerfield Avenue) to rename the portion of Deerfield Avenue east of Alice Crescent, to Deerfield Extension.**

**CARRIED.**

The Director of Clerk's Services highlighted the report.

**9.3 FINANCE**

**9.3.1 REPORT NO. FIN 2014-10  
2014 Municipal Budget**

**Resolution No. 2014-22**

**Moved by: M. Murray**

**Seconded by: A. Junker**

**THAT the 2014 Municipal Budget dated February 3, 2014, as recommended by the Ad Hoc Budget Advisory Committee, be approved; and**

**THAT the Director of Finance be authorized to prepare the necessary levying by-law to raise \$6,770,040 for Township purposes from general taxation.**

**CARRIED.**

The Director of Finance highlighted the report.

Mayor L. Armstrong thanked Council and staff for their efforts in achieving the established goals for the 2014 Budget.

Councillor A. Junker commented that the average property tax increase for Wilmot in the past four years has been 1.5% and stated that few municipalities can claim such a low average.

Councillor P. Roe concurred with the previous remarks adding that staff has done an excellent job.

#### **9.4 PUBLIC WORKS**

##### **9.4.1 REPORT NO. PW-2014-01 Public Works Activity Report October - December**

#### **Resolution No. 2014-23**

**Moved by: B. Fisher**

**Seconded by: A. Junker**

**THAT the Public Works Department Activity Reports for the months of October, November and December 2013 be received for information.**

**CARRIED.**

#### **9.5 DEVELOPMENT SERVICES**

##### **9.5.1 REPORT NO. DS 2014-05 Wilmot Trails Master Plan Implementation Consultant Selection**

#### **Resolution No. 2014-24**

**Moved by: A, Junker**

**Seconded by: M. Murray**

**That Report DS 2014-05 be received for information.**

**CARRIED.**

The Planner/EDO highlighted the report.

Councillor B. Fisher stated that he had viewed the recommended consultant's website and found two trails listed as completed projects. The Planner/EDO explained that, although the firm is new, the staff has extensive experience from previous assignments to give staff confidence that they are well suited to this project.

**9.6 FACILITIES AND RECREATION SERVICES****9.6.1 REPORT NO. PRD 2014-01****Facilities & Recreation Services Activity Reports – Oct. to Dec. 2013****Resolution No. 2014-25****Moved by: M. Murray****Seconded by: P. Roe**

**THAT the Facilities & Recreation Services Activity Reports for the fourth quarter of 2013 be received for information.**

**CARRIED.**

In response to Councillor A. Junker, the Director of Facilities and Recreation Services advised that he anticipates receiving news regarding the various splash pad funding application made by the Committee in March.

**9.6.2 REPORT NO. PRD-2014-02****Request to Waive the Rental Fee****Resolution No. 2014-26****Moved by: M. Murray****Seconded by: J. Gerber**

**THAT the fees associated with the use of the New Hamburg Community Centre on February 23, 2014, to hold a fundraising event for the Reiner Family, be waived.**

**CARRIED.**

The Manager of Recreation and Community Services highlighted the report.

**9.7 FIRE – no reports****9.8 CASTLE KILBRIDE****9.8.1 REPORT NO. CK 2014-01****Quarterly Activity Report – October, November & December 2013****Resolution No. 2014-27****Moved by: A. Junker****Seconded by: B. Fisher**

**THAT the Castle Kilbride Activity Report for the months of October, November & December 2013 be accepted for information purposes.**

**CARRIED.**

The Curator/Director of Castle Kilbride highlighted the report.

**10. CORRESPONDENCE**

- 10.1 Region of Waterloo Planning, Housing and Community Services, Transportation Services – Regional Transportation Master Plan Progress Report
- 10.2 Grand River Conservation Authority – General Membership Meeting, December 13, 2013
- 10.3 Regional Municipality of Waterloo – Master Plan for Waterloo Regional Police Service
- 10.4 Association of Municipalities of Ontario – The Fork in the Road – Highlights of AMO's 2014 Pre-Budget Submission
- 10.5 Heritage Wilmot Advisory Committee – January 14, 2014 Meeting Minutes

**Resolution No. 2014-28****Moved by: A. Junker****Seconded by: M. Murray****That Correspondence Items 10.1 to 10.5 be received for information.****CARRIED.**

Mayor L. Armstrong responded to Councillor B. Fisher concerning Grand River Transit in Wilmot by stating that he is continuing to speak to GRT staff on a potential trial project but that residents need to voice their desire for the service.

Councillor P. Roe stated his opinion that residents will not voice a need for the service until it has been initiated.

Mayor L. Armstrong noted that he has heard from the majority of residents that their need is for occasional service as opposed to everyday service. He concluded by stating that the discussions need to continue with residents and with the GRT staff.

- 10.6 Randy Pettapiece, MPP Perth-Wellington – Request to Support Private Member's Resolution in the Ontario Legislature Re Joint and Several Liability

**Resolution No. 2014-29****Moved by: M. Murray****Seconded by: P. Roe**

**THAT the Township of Wilmot supports the intent of a resolution addressing Joint and Several Liability for municipalities, prepared by private member Randy Pettapiece, MPP Perth – Wellington and introduced to the Ontario legislature as follows:**

**That, in the opinion of the House, the government should protect taxpayers from higher property taxes by implementing a comprehensive, long-term solution to reform joint and several liability insurance for municipalities by no later than June 2014, addressing the alarming rise in insurance premiums due to rising litigation and claim costs.**

**CARRIED.**

- 10.7 Region of Waterloo – 2014 Planning and Works Project Team Membership

**Resolution No. 2014-30****Moved by: P. Roe****Seconded by: J. Gerber**



**THAT Councillor Barry Fisher be appointed to the project and study team for the SNYDER'S ROAD, FOUNDRY STREET TO GINGERICH ROAD DESIGN AND CONSTRUCTION WORKS as noted in Appendix A to the Region of Waterloo's Report No. E-14-013/P-14-008, dated January 28, 2014.**

**CARRIED.**

**10.8 Association of Municipalities of Ontario - Recent Developments in Joint and Several Liability – Municipal Action Needed**

**Resolution No. 2014-31**

**Moved by: A. Junker**

**Seconded by: M. Murray**

**THAT the Council of the Corporation of the Township of Wilmot support the Provincial government's consideration and adoption of measures which limit the punishing impact of joint and several liability on municipalities;**

**AND THAT Council support the adoption of both models under consideration as a significant incremental step to addressing this pressing municipal issue;**

**AND FURTHER THAT this motion be circulated to the Honourable Kathleen Wynne, Premier of Ontario and the Honourable Linda Jeffrey, Minister of Municipal Affairs and Housing.**

**CARRIED.**

**11. BY-LAWS**

- 11.1 By-law No. 2014-05 Being a By-law to Amend 1980-06, To Change the Name of a Portion of Highway Within the Township of Wilmot (Deerfield Extension)**
- 11.2 By-law No. 2014-06 By-law to Authorize the Execution of an Agreement with the Wilmot Heritage Fire Brigades**
- 11.3 By-law No. 2014-07 Water and Wastewater Rates By-law**

**Resolution No. 2014-32**

**Moved by: M. Murray**

**Seconded by: J. Gerber**

**THAT By-law Nos. 2014-05, 2014-06 and 2014-07 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 A. Junker inquired as to the status of receiving information on dangerous goods being shipped via rail service. The Fire Chief advised Council that he has registered with the rail service to receive the information.**

**14. BUSINESS ARISING FROM CLOSED SESSION**

**15. CONFIRMATORY BY-LAW**

15.1 By-law No. 2014-08

**Resolution No. 2014-33**

Moved by: M. Murray

Seconded by: J. Gerber

THAT By-law No. 2014-08 to Confirm the Proceedings of Council at its Meeting held on February 10, 2014 be introduced, read a first, second, and third time and finally passed in Open Council.

**CARRIED.**

**16. ADJOURNMENT**

**Resolution No. 2014-34**

Moved by: M. Murray

Seconded by: B. Fisher

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