



**TOWNSHIP OF WILMOT
COUNCIL MEETING MINUTES
MONDAY, JANUARY 12, 2015**

**AD HOC BUDGET ADVISORY COMMITTEE
WILMOT COMMUNITY ROOM
5:30 P.M.**

**CLOSED COUNCIL MEETING
WILMOT COMMUNITY ROOM
IMMEDIATELY FOLLOWING AD HOC BUDGET ADVISORY COMMITTEE MEETING**

**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, Planner/EDO A. Martin**

- 1. MOTION TO CONVENE INTO CLOSED SESSION**
- 2. MOTION TO RECONVENE IN OPEN SESSION**
- 3. MOMENT OF SILENCE**
- 4. ADDITIONS TO THE AGENDA**
- 5. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

Councillor B. Fisher disclosed a conflict with regards to item 7.1 as he is a tenant of Nith River Campground.

6. MINUTES OF PREVIOUS MEETINGS

6.1 Inaugural Council Meeting Minutes December 1, 2014

Resolution No. 2015-001

Moved by: A. Junker

Seconded by: M. Murray

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

Inaugural Council Meeting December 1, 2014.**CARRIED.****7. PUBLIC MEETINGS**

- 7.1 REPORT NO. DS 2015-03
Zone Change Application 01/15
Nith River Campground / Stantec
Part of Lot 22 and 23, Concession North of Snyder's Road
4417 Wilmot-Easthope Road**

Resolution No. 2015-002**Moved by: M. Murray****Seconded by: P. Roe**

THAT Zone Change Application 01/15 made by Nith River Campground / Stantec, affecting Part of Lot 22 and 23, Concession North of Snyder's Road, to extend a temporary use by-law allowing a garden suite for an additional three years, be approved.

CARRIED.

Councillor B. Fisher disclosed a conflict of interest and did not take part in the discussion and 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.

Sarah Copland from Stantec advised Council that she was attending to represent the applicant and that she was available to answer questions of Council.

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

Mayor Armstrong asked if anyone else wished to address Council.

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.

- 7.2 REPORT NO. DS 2015-04**
Official Plan Amendment Application 01/15
Zone Change Application 02/15
Wayne Brubacher / David and Lina Caputo
Part of Lot 2, Concession 3, Block B
Parts 26 and 27, Plan 58R-3682
13-1228 Berlett's Road, Sunfish Lake

Resolution No. 2015-003

Moved by: P. Roe

Seconded by: A. Junker

THAT report DS 2015-04 be received for information.

CARRIED.

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 and the additions to the Agenda received concerning 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.

Wayne Brubacher from WDB Consulting advised Council that he was attending to represent the applicants and that he was available to answer any questions of Council.

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

Mayor Armstrong asked if anyone else wished to address Council.

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

- 8.1 Heritage Wilmot Advisory Committee**
Register of Non-Designated Properties

- 8.1.1 REPORT NO. CK 2015-01**
Updated Heritage Register of Non-Designated Properties within
the Township of Wilmot

Resolution No. 2015-004

Moved by: M. Murray

Seconded by: A. Junker

THAT the updated Register of Non-Designated Properties for the Township of Wilmot dated January 12, 2015 as submitted on behalf of the Heritage Wilmot Advisory Committee, be adopted.

CARRIED.

Chairman Mr. Bogaert introduced himself along with committee member Ms. Rowell as members of the Heritage Wilmot Advisory Committee. He highlighted the mandate of the Committee and the Committee's role with regards to the Register of Non-Designated Properties. He advised Council as to why properties are included in the Register and provided current examples of properties that are on the Register.

Ms. Rowell provided Council with a description of the three new properties recommended by the Committee for Council's approval to be added to the Register. They included: the Shearer Property/"Prospect Farm," Grace Mennonite Church and the Former Livingston Flax Mill/Linseed Oil Company which is now Baden Feed and Supply.

Mr. Bogaert concluded the presentation by highlighting the future steps for the Committee with regards to the Register.

In response to Councillor B. Fisher, Mr. Bogaert described the process for designation. He noted that the Committee would collectively discuss and identify a particular property worthy of designation, which would then begin the process with a staff report and recommendation for Council consideration.

Councillor A. Junker thanked the members of the Committee for attending and commended the entire Committee on their efforts. He expressed his appreciation for the inclusion of the Livingston Mill property on the Register which had been noted by Parks Canada at the time of designating the Castle Kilbride property as being an impressive property.

The Curator/Director of Castle Kilbride highlighted the report.

Councillor P. Roe commended the work completed by Ms. Rowell, Mr. Bogaert and the Curator/Director with regards to the Committee.

8.2 Aaron Michael Fewkes Council Committee Appointment

Mr. Fewkes highlighted the emails contained within his presentation including the questions he is asking of Council at this meeting relative to the process of appointing members to Advisory and Quasi-Judicial Committees. In Mr. Fewkes opinion he stated that the appointment process does not uphold the principles of accountability and transparency.

In response to Mr. Fewkes, Mayor L. Armstrong advised that the process for appointments is that the Township receives the names of interested applicants which are then considered by the Mayor. Where an applicant is unknown by the Mayor and staff, additional information is requested as to the applicant's experience and interest in sitting on the Committee. The Mayor may discuss the applicant's qualifications with the staff liaison for the Committee. He advised that the feedback received from staff is kept confidential much like a hiring process for employment. Following the Mayor's decision as to the applicants to recommend for appointment, the Director of Clerk's Services prepares a report with the Mayor's recommendations. The recommendations are then considered and decided upon via resolution by Council.

With regards to Mr. Fewkes' comments on the timeline for the appointment process in relation to the election of Members of Council and number of incumbents, Mayor L. Armstrong noted that the process would occur during the transition period between Councils and during Council orientation regardless of the number of incumbent members.

Mr. Fewkes suggested a discrepancy between comments made with regards to appointment decisions being made by Council yet staff is being consulted for feedback on applicants and is the writer of the report making the recommendations. Mayor L. Armstrong advised Mr. Fewkes that staff is employed by the Township as experts in their field and that part of their job is to provide advice to the Mayor and Council, but, as is the case with all matters, Council makes the final decision and may amend the recommendations contained within any report before passing the resolution. Mayor L. Armstrong concurred that staff prepares the report but that the recommendation for appointments comes directly from the Mayor.

Mr. Fewkes questioned the appropriateness of consulting with staff for the appointment of committee members. Mayor L. Armstrong strongly expressed his endorsement of the process as a practice that is used in other local municipalities and has been used in Wilmot for several years. Mayor L. Armstrong stated that as is the case with any appointment or hiring, a chance is taken on the applicant that their experience and abilities would be of benefit to the organization.

9. REPORTS

9.1 CAO – no reports

9.2 CLERKS

9.2.1 REPORT NO. CL 2015-01 Accessibility Initiatives/Actions Undertaken for the 2014 Municipal Election

Resolution No. 2015-005

Moved by: M. Murray

Seconded by: J. Gerber

THAT Report No. CL2015-01, prepared by the Director of Clerk's Services regarding Accessibility Initiatives/Actions for the 2014 Municipal Election, be received for information purposes.

CARRIED.

The Director of Clerk's Services highlighted the report.

Councillor A. Junker concurred with item G on the report by noting that the magnifying screens were not effective and that other options should be considered. The Director advised that due consideration will be given to this concern for the 2018 Municipal Election.

9.2.2 REPORT NO. CL 2015-02 Lease of Agricultural Lands Known as 28 Smith's Creek Drive Part of Parts 1-5, Block 77, Plan 58M-495

Resolution No. 2015-006

Moved by: A. Junker

Seconded by: M. Murray

THAT the Mayor and Clerk be authorized to enter into an agreement with Stoney Brook Farm Ltd., (attached as Schedule "A" to Report CL2015-02) for the lease of 35 acres of municipally owned

lands known as 28 Smith's Creek Drive, Part of Block 77, Plan 58M-495, for a total amount of \$13,125.00 plus HST, and further;

THAT the term of the contract be for a five (5) year period, effective January 1, 2015 through to December 31, 2019.

CARRIED.

The Director of Clerk's Services highlighted the report.

- 9.2.3 REPORT NO. CL 2015-03
Petition from Dietmar Walch / Alpine Plant Foods Corporation
for Municipal Drainage Works
Concession South of Snyder's Road Part Lot 19
RP58R13951 Parts 2 to 4, 7 and 8
Nafziger Road, Baden
Township of Wilmot

Resolution No. 2015-007

Moved by: B. Fisher

Seconded by: M. Murray

THAT the Township of Wilmot accept the Petition for Municipal Drainage Works received from Dietmar Walch for Alpine Plant Foods Corporation, Nafziger Road, Baden, Concession South of Snyder's Road Part Lot 19 RP58R13951 Parts 2 to 4, 7 and 8, and

THAT the Clerk be authorized to proceed accordingly under The Drainage Act.

CARRIED.

9.3 FINANCE

- 9.3.1 REPORT NO. FIN 2015-01
Expense Allowance for Elected Municipal Officials

Resolution No. 2015-008

Moved by: J. Gerber

Seconded by: M. Murray

THAT the one-third tax free allowance for elected officials be retained and a by-law be prepared accordingly.

CARRIED.

- 9.3.2 REPORT NO. FIN 2015-02
Amendment to the Trust Fund By-law

Resolution No. 2015-009

Moved by: A. Junker

Seconded by: M. Murray

THAT the Trust Fund by-law 2012-29 be amended to add Foundry Street Parkette Trust Fund; and further

THAT the New Dundee Parks Development Trust Fund termination date be extended to December 31, 2015; and further

THAT the provisions for the Kropf/Baden Cemetery Restoration Trust Fund be deleted.

CARRIED.

The Director of Finance highlighted the report.

9.4 PUBLIC WORKS – no reports

9.5 DEVELOPMENT SERVICES

**9.5.1 REPORT NO. DS 2015-02
Wilmot Trails Master Plan
Appendix B: Implementation Plan**

Resolution No. 2015-010

Moved by: J. Gerber

Seconded by: M. Murray

THAT Appendix B (Implementation Plan) to the Wilmot Trails Master Plan, prepared by Seferian Design Group Limited, be endorsed.

CARRIED.

The Planner/EDO highlighted the report.

In response to Councillor B. Fisher, the Planner/EDO stated that some trails would be a mixed use trail and that the Township is working with local snowmobile clubs to keep the current snowmobile trail network in place. Mayor L. Armstrong noted that the working relationship with staff and the snowmobile clubs is effective with common goals for the maintenance of all types of trails.

Councillor B. Fisher inquired about snowmobile trails in and near residential areas. The Planner/EDO stressed the importance of compatibility with regards to the creation of new snowmobile trails and that one through a residential area may not be compatible but that it is not uncommon for a new development to grow around or near an existing snowmobile trail.

At the request of Councillor P. Roe, the consultant will be required to amend the report with regards to grammar, format and punctuation use in order that its integrity as a Council endorsed document is of the standard the Township is accustomed to.

Responding to Councillor B. Fisher, the Planner/EDO commented on the standards for surface treatment noted in the report are open to change depending on the area and type of trail and could include recycled asphalt.

In response to Councillor P. Roe, the Planner/EDO confirmed that the document did not include equestrian or ATV use as the trails are not intended for either use. He noted that both horses and ATVs are known to create problems on trails with regards to maintenance and longevity of the surface treatment.

9.6 FACILITIES AND RECREATION SERVICES – no reports

9.7 FIRE – no reports

9.8 CASTLE KILBRIDE – no reports

10. CORRESPONDENCE

10.1 Heritage Wilmot Advisory Committee – Meeting Minutes from October 7, November 4 and December 2, 2014

Resolution No. 2015-011

Moved by: A. Junker

Seconded by: P. Roe

THAT Correspondence Item 10.1 be received for information.

CARRIED.

11. BY-LAWS

11.1 By-law No. 2015-01, Interim Tax Levy

11.2 By-law No. 2015-02, Fees and Charges By-law Amendment

11.3 By-law No. 2015-03, Amendment to the Trust Fund By-law 2012-29

11.4 By-law No. 2015-04, To Authorize the Execution of an Agreement – Lease of Agricultural Land – 28 Smith’s Creek Drive, Part of Parts 1-5, Block 77, Plan 58M-495

11.5 By-law No. 2015-05, Acting Mayor Rotation Schedule for 2015-2018

11.6 By-law No. 2015-06, Zone Change Application 01/15, Nith River Campground / Stantec, Part of Lot 22 and 23, Concession North of Snyder’s Road, 4417 Wilmot-Easthope Road

Resolution No. 2015-012

Moved by: M. Murray

Seconded by: A. Junker

THAT By-law Nos. 2015-01, 2015-02, 2015-03, 2015-04, 2015-05 and 2015-06 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. 2015-07

Resolution No. 2015-013

Moved by: A. Junker

Seconded by: J. Gerber

THAT By-law No. 2015-07 to Confirm the Proceedings of Council at its Meeting held on January 12, 2015 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

16. ADJOURNMENT (8:12 P.M.)

Resolution No. 2015-014

Moved by: P. Roe

Seconded by: B. Fisher

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

CARRIED.

Mayor

Clerk