



**TOWNSHIP OF WILMOT  
COUNCIL MEETING MINUTES  
MONDAY, MAY 11, 2015**

**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 Administration 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,  
Planner/EDO A. Martin**

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

None disclosed.

**6. MINUTES OF PREVIOUS MEETINGS**

**6.1 Council Meeting Minutes April 27, 2015**

**Resolution No. 2015-097**

**Moved by: M. Murray**

**Seconded by: P. Roe**

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

**Council Meeting April 27, 2015.**

**CARRIED.**

**7. PUBLIC MEETINGS**

- 7.1 REPORT NO. DS 2015-17**  
**Zone Change Application 08/15**  
**exp Services / 1920270 Ontario Inc.**  
**Part of Lot 15, Concession South of Snyder's Road**  
**Foundry Street / Gingerich Road / Brewery Street, Baden**

**Resolution No. 2015-098****Moved by: M. Murray****Seconded by: A. Junker****THAT report DS 2015-17 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.

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.

**Alex Kolsteren, exp Services Inc., 258 Clinton Street, Toronto**

Mr. Kolsteren introduced himself as the representative for the applicant. He advised Council that the purpose of the application was to have zoning conform with the Official Plan. He further advised that all feedback received to date and at this meeting would be considered for revision of the application.

In response to Councillor B. Fisher, the Planner/EDO confirmed that a traffic impact study has been conducted and is being reviewed by the Region.

Mayor L. Armstrong asked if anyone else wished to address Council on this matter.

**Clayton Knarr, 1413 Gingerich Road**

Mr. Knarr expressed his concerns over his property receiving the water draining from the development. He advised Council that his property currently receives the water draining the hill and that erosion is occurring as a result of the creek.

Mayor L. Armstrong advised Council that the site plan process would address any drainage issues.

**Rick Pereira, 85 Village Green Way**

Dr. Pereira expressed his concerns over traffic flowing in and out of the development and taking business away from the downtown area of Baden. He spoke of the changes that have taken place in Baden over the past ten years which included a decline in local businesses then a revitalization with the construction of the downtown plaza and local events such as Corn Fest, summer concerts and car shows encouraging

a sense of community. He reiterated that a development on the edge of town will put residents into their cars and drive away from the downtown as there are no sidewalks that far down Foundry Street or on Gingerich Road. He concluded his discussion by suggesting that limits be placed on the types of businesses allowed to avoid taking business away from the downtown.

### **John Jantzi, 14 Brewery Street**

Mr. Jantzi advised Council that he does not have concerns with light industrial businesses in the development but suggested that downtown businesses will suffer if retail locations are allowed in the development.

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.

Mayor L. Armstrong advised those present that the application will be brought before Council again and that those who have made comments will be notified.

The Planner/EDO clarified for Councillor J. Gerber that the current site plan does not include a drive thru, but typically a drive thru would refer to a restaurant or banking facility. He further clarified that staff can meet with the applicant to scale down the proposed uses and that Council can limit uses as they fell appropriate.

## **8. PRESENTATIONS/DELEGATIONS**

### **8.1 Jerry Van Ooteghem, President and CEO Mark Jackson, Chair Kitchener-Wilmot Hydro 2014 Annual Report**

Mr. Jackson introduced himself and Mr. Van Ooteghem to Council. He expressed his pleasure at being able to appear before Council to present the Annual Report for 2014. He noted to Council that Kitchener-Wilmot Hydro has among the lowest controllable costs in the Province for a hydro corporation. He stated that change is constant and that they are focusing on continuous improvements and opportunities to drive value. He thanked Council for their continued support of Kitchener-Wilmot Hydro's efforts.

Mr. Van Ooteghem highlighted the 2014 Annual Report for Council which included the following:

- 1.2% increase in number of customers
- 0.63% decrease in kilowatt hour consumption
- Peak demand decrease of 15% contributed to weather and better management of peak demand consumption by customers
- 9<sup>th</sup> lowest in the Province for monthly residential bills at \$121.67
- 2<sup>nd</sup> lowest in the Province for controllable costs per customer per year at \$186
- 2.4% increase in Net Income
- \$318,000 increase in capital investments

Mr. Van Ooteghem concluded his presentation by summarizing the reliability indicators and community initiatives.

Mr. Jackson then presented Mayor L. Armstrong with the annual reforestation grant and dividend cheques in the amounts of \$45,000 and \$330,600 respectively.

Mayor L. Armstrong addressed Council by stating that as the Township's representative on the Board he is able to observe the staff at Kitchener-Wilmot Hydro and that he is very pleased with and proud of the

work they accomplish. He noted that the Township of Wilmot and its residents should be proud to be part owners of the corporation.

Councillor P. Roe noted the fact that the reliability indicators show that Kitchener-Wilmot Hydro meets the response times for rural response but that he would still appreciate a response time more equal to urban response times.

In response to Councillor P. Roe's inquiry on the effects of the FIT Solar program Mr. Van Ooteghem responded that the ongoing rebuilds have assisted in accommodating the surplus power and with the transformer station recently built in Wilmot there no restrictions.

In response to Councillor P. Roe, Mr. Ooteghem replied that the lower controllable costs for Kitchener-Wilmot Hydro compared to Waterloo North Hydro is due to their larger rural area and Kitchener-Wilmot Hydro's long term view on asset management.

Councillor A. Junker commended Kitchener-Wilmot Hydro on their improvements in communication efforts during power outages. Mt. Van Ooteghem noted that improvements in communications to the public and municipalities were a priority for 2014.

Councillor J. Gerber echoed Councillor A. Junker's comments regarding communications and the advantages of using Twitter.

In response to Councillor B. Fisher, Mr. Van Ooteghem advised that they are monitoring the potential impact of Tesla home batteries but noted that the batteries are currently quite costly with limited capacity.

## **9. REPORTS**

### **9.1 CAO – no reports**

### **9.2 CLERKS**

#### **9.2.1 REPORT NO. CL 2015-12 Designation of Livingston Presbyterian Church**

#### **Resolution No. 2015-099**

**Moved by: P. Roe**

**Seconded by: A. Junker**

**THAT By-law No. 2015-26, Being a by-law to Designate the Property Known as Livingston Presbyterian Church, 44 Beck Street, Lot 97, Plan 627 be adopted, and further;**

**THAT the Director of Clerk's Services be authorized to proceed under the provisions of the Ontario Heritage Act.**

**CARRIED.**

The Director of Clerk's Services highlighted the report.

**9.2.2 REPORT NO. CL 2015-14  
Consideration of Engineer's Report  
For the Trussler Road Municipal Drain 2015  
Parts of Lots 1 and 2, German Block North of Bleams Road  
Township of Wilmot  
And Parts of Lots 46 and 129, German Company Tract  
City of Kitchener  
Region of Waterloo**

**Resolution No. 2015-100**

**Moved by: J. Gerber**

**Seconded by: A. Junker**

**THAT Consideration of the Engineer's Report for the Trussler Road Drain as recommended in Report No. CL 2015-14 be deferred to the next Regular Council Meeting scheduled for May 25, 2015.**

**CARRIED.**

The Deputy Clerk highlighted the report.

Mr. Stephen Kay, representing Mr. and Mrs. Choi, assessed land owners within the Trussler Road Drain watershed, requested that the Consideration of the Engineer's Report be deferred to allow his clients the opportunity to have the report reviewed by a third party. He cited reasons for deferral being his client's limited understanding of the English language, and having received the Report at a late date and the appearance of the drain being solely to the benefit of Activa Group.

Mr. Bill Dietrich of Dietrich Engineering advised Council that his firm has been seeking public input during the entire process and that the Choi family had been present at various meetings. He further explained that the Choi family had indicated they had concerns and some questions. His firm reached out to the Choi family on three occasions to ascertain what the concerns or questions might be and no response was ever received back. He noted to Council that changes to the report can be requested through the drainage tribunal.

Mr. Larry Maseo of Activa Group stated to Council that he originally supported the deferral but that he would now prefer the Engineer's Report be considered at this meeting. He reiterated that the Choi family has been present at previous meetings relative to the drain with a family member who can translate English to Chinese and that this drainage outlet is appropriate given the natural watercourse present.

Councillor J. Gerber stated he was in favour of the deferral as an opportunity to discuss and understand the project and any alternatives that may be available to benefit all property owners.

Councillor A. Junker advised that the deferral may be beneficial in preventing an appeal down the road.

Councillor P. Roe concurred that every opportunity should be given to discuss and understand the Report.

Mayor L. Armstrong advised Council that the property owners have been involved in the process for over a year.

In response to Councillor J. Gerber, Mr. Dietrich advised that the financial ramifications of a deferral, reconsideration or Drainage Tribunal appeal are unknown but that a deferral of two weeks is not a long time and that efforts to avoid an appeal would be best.

**9.3 FINANCE – no reports**

**9.4 PUBLIC WORKS**

**9.4.1 REPORT NO. PW 2015-10  
Hot Mix Asphalt Paving – Award of Tender**

**Resolution No. 2015-101**

**Moved by: P. Roe**

**Seconded by: M. Murray**

**THAT the tender submitted by Brantco Construction, for the paving of Township roads with hot mix asphalt, in the amount of \$368,840.72, net of the HST rebate, be accepted.**

**CARRIED.**

The Director of Public Works responded to Councillor A. Junker's inquiry regarding the contractor by stating that Brantco Construction is a large contractor who is fully capable of this size of project. He further confirmed that Wilmot has not awarded them a contract previously.

**9.4.2 REPORT NO. PW 2015-11  
Surface Treatment – Award of Tender**

**Resolution No. 2015-102**

**Moved by: P. Roe**

**Seconded by: B. Fisher**

**THAT the tender submitted by Cornell Construction Ltd. For the application of surface treatment to Township roads in the amount of \$371,838.52, net of the HST rebate, be accepted.**

**CARRIED.**

**9.5 DEVELOPMENT SERVICES**

**9.5.1 REPORT NO. DS 2015-18  
April Building Statistics Summary**

**Resolution No. 2015-103**

**Moved by: M. Murray**

**Seconded by: A. Junker**

**THAT the April 2015 Building Statistics Summary be received for information.**

**CARRIED.**

**9.5.2 REPORT NO. DS 2015-19**

**Source Protection Municipal Implementation  
Septic System Mandatory Maintenance Inspection Program (SSMMIP)**

**Resolution No. 2015-104**

**Moved by: P. Roe**

**Seconded by: M. Murray**

**THAT Report DS 2015-19 be received for information.**

**CARRIED.**

The Director of Development Services highlighted the report.

In response to Councillor A. Junker, the Director of Development Services confirmed that education on proper maintenance and use of septic systems is a significant part of the program for the protection of source water.

**9.6 FACILITIES AND RECREATION SERVICES – no reports**

**9.7 FIRE – no reports**

**9.8 CASTLE KILBRIDE – no reports**

**10. CORRESPONDENCE**

**10.1 Grand River Conservation Authority – Grand Actions**

**10.2 Wilmot Family Resource Centre – Letter of Thanks for Municipal Grant**

**Resolution No. 2015-105**

**Moved by: J. Gerber**

**Seconded by: A. Junker**

**THAT Correspondence Items 10.1 and 10.2 be received for information.**

**CARRIED.**

**11. BY-LAWS**

**11.1 By-law No. 2015-26 – Heritage Designation By-law – Livingston Presbyterian Church**

**11.2 By-law No. 2015-29 – By-law to Appoint a Municipal Law Enforcement Officer, Waseem Khalid**

**Resolution No. 2015-106**

**Moved by: J. Gerber**

**Seconded by: M. Murray**

**THAT By-law Nos. 2015-26 and 2015-29 2015-30 be read a first, second and third time and finally passed in Open Council.**

**CARRIED.**

**11.3 By-law No. 2015-30 - Being a By-Law to Provide For Drainage Works in the Township of Wilmot, Trussler Road Municipal Drain 2015**

**Resolution No. 2015-107**

**Moved by:**

**Seconded by:**

**THAT By-law No. 2015-30 be read a first and second time in Open Council.**

**DEFERRED.**

**12. NOTICE OF MOTIONS**

**13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

- 13.1 Councillor J. Gerber reminded Council of the Athlete of Year Awards Banquet being held on May 20 at 5:50. He noted that the Aquatic Aces and the Firebirds are being recognized at the banquet.
- 13.2 Councillor A. Junker advised Council of the Victoria Celebrations occurring in New Dundee on Monday, May 18 which include a fundraising breakfast for the fireworks, parade, yard sale and evening fireworks.

**14. BUSINESS ARISING FROM CLOSED SESSION**

**15. CONFIRMATORY BY-LAW**

- 15.1 By-law No. 2015-31

**Resolution No. 2015-108**

**Moved by: B. Fisher**

**Seconded by: P. Roe**

**THAT By-law No. 2015-31 to Confirm the Proceedings of Council at its Meeting held on May 11, 2015 be introduced, read a first, second, and third time and finally passed in Open Council.**

**CARRIED.**

**16. ADJOURNMENT (8:42 P.M.)**

**Resolution No. 2015-109**

**Moved by: P. Roe**

**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**