



**TOWNSHIP OF WILMOT
COUNCIL MEETING MINUTES
MONDAY, NOVEMBER 2, 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, Senior Municipal Law
Enforcement Officer, D. Wallace, Manager of Accounting P. Kelly**

1. MOTION TO CONVENE INTO CLOSED SESSION

2. MOTION TO RECONVENE IN OPEN SESSION

3. MOMENT OF SILENCE

4. ADDITIONS TO THE AGENDA

- 4.1 ITEM 9.2.5 – REPORT NO. CL2015-33
Petition from Hartmut Weiss for 1210918 Ontario Inc.
Municipal Drainage Works
North Part of Lots 7 & 8
Concession South of Bleams Road
2316 Queen Street
Township of Wilmot**

Resolution No. 2015-223

Moved by: M. Murray

Seconded by: A. Junker

**THAT Item 9.2.3 Report No. CL 2015-33 - Petition from Hartmut Weiss for 1210918 Ontario Inc.,
Municipal Drainage Works, North Part of Lots 7 & 8, Concession South of Bleams Road, 2316
Queen Street Township of Wilmot be added to the Agenda.**

CARRIED.

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

None disclosed.

6. MINUTES OF PREVIOUS MEETINGS

6.1 Council Meeting Minutes October 5, 2015

Resolution No. 2015-224

Moved by: M. Murray

Seconded by: A. Junker

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

Council Meeting October 5, 2015.

CARRIED.

7. PUBLIC MEETINGS

- 7.1 REPORT NO. DS 2015-37
Zone Change Application 16/15
Ann and Douglas Clarke
Part of Lots 18 and 19, Plan 532
Being Parts 3 and 6, Plan 58R-10195
1099 Perth Street

Resolution No. 2015-225

Moved by: M. Murray

Seconded by: A. Junker

That Zone Change Application 16/15 made by Ann and Douglas Clarke, affecting Part of Lots 18 and 19, Plan 532, being Parts 3 and 6, Plan 58R-10195, to pass a temporary use by-law to permit a second dwelling for a period of eighteen months be approved, subject to the following:

1. That the implementing by-law specifically limit occupancy to only one dwelling at any time.

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 along with email addresses if provided.

The Director of Development Services highlighted the report.

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

Mayor L. Armstrong asked if the applicant wished to address Council. The applicant had no comments.

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

8. PRESENTATIONS/DELEGATIONS

8.1 Tim Van Hinte, MCIP, RPP, Principal Planner (Environmental), Region of Waterloo Todd Fell, Consultant, Dougan & Associates Laurel Creek ESL Study

Mr. Van Hinte presented an overview of the Laurel Creek ESL Study, outlining the background and objective, - to balance transportation and environmental considerations in Environmentally Sensitive Landscapes. He advised that the Laurel Creek ESL is being used as a case study to achieve this balance.

Mr. Fell highlighted the components of the Study, and key findings were described: the natural heritage features that exist within the Laurel Creek ESL and the impact on them by the conditions along the Wilmot Line and Kressler Road, the potential effects of runoff and sedimentation, transportation analysis of traffic volumes and cycling/pedestrian space and the effects on the wildlife movement in the ESL. Four potential road mortality hotspots were identified along the Wilmot Line, based on computer modelling.

An overview of the preliminary recommendations was given, noting potential mitigation measures to help balance the objective of the study such as wildlife warning signs, modified road maintenance practices and wildlife crossing structures.

The study identified that traffic volume is high enough in some places on the Wilmot Line that hard surface treatment may become less expensive to maintain than the existing gravel surface. However, it was noted that if future upgrades to the Wilmot Line beyond regular maintenance are proposed, then a formal environmental impact statement in accordance with the ROPP would be completed.

Councillor P. Roe was of the opinion that the study does not reflect the opinions of the majority of people in the area who want to see the road paved and he expressed that the case study weighed heavily towards environmental concerns than safety concerns of the road. He stated that he has lived in the area for 45 years and not once has he observed a Blanding turtle and that temporary road closures to allow for breeding seasons would be unwarranted. He questioned the credibility of the computer modelling basis to predict mortality rates of wildlife. In addition he noted that all the roads are paved through the ESL and that paving the road would eliminate the need and environmental impact for dust control and calcium spraying. He summarized by emphasizing the insufficient guidelines for the preparation of an environmental statement and felt that the document was a wasted study.

Councillor A. Junker echoed Councillor P. Roe's statement relative to calcium spraying.

Mayor L. Armstrong commented that any future study that is required to pave the road should be paid for by the Region and concurred with Councillor P. Roe that safety on the Wilmot Line is a very important factor that warrants high consideration to pave the road.

The final report will be presented at Regional Council later in 2015 or early 2016.

9. REPORTS

9.1 CAO – no reports

9.2 CLERKS

9.2.1 REPORT NO. CL2015-29 Proposal to Establish A Joint Municipal Ombudsperson

Resolution No. 2015-226**Moved by: P. Roe****Seconded by: A. Junker**

THAT the Township of Wilmot accept the approach to establish a joint municipal ombudsperson for the following municipalities; Cities of Cambridge, Guelph, Waterloo and the Townships of North Dumfries, Wellesley, Wilmot, Woolwich and the Region of Waterloo, and further,

THAT staff be authorized to proceed with a joint procurement process.

CARRIED.

The Director of Clerk's Services highlighted the report.

In response to Councillor B. Fisher, the Director clarified that the Township has an Integrity Commissioner in place and that the costs associated with the local Ombudsperson are unknown at this time.

Councillor J. Gerber noted the advantages of having a local ombudsperson who would be more familiar with local circumstances than a provincially appointed person.

In response to Councillor P. Roe, the Director advised that the method of payment for a local ombudsperson is not determined at this time, but that it may well be a pro-rated system based on population.

Councillor A. Junker noted that the recommendation contained within the report made the most sense and that he also preferred to establish this position locally.

The Director confirmed that the City of Kitchener does have an option to join in at a later date if they elect to do so.

**9.2.2 REPORT NO. CL2015-30
Ministry of Municipal Affairs and Housing
2015 Legislative Review
Municipal Act and Municipal Conflict of Interest Act**

Resolution No. 2015-227**Moved by: M. Murray****Seconded by: J. Gerber**

THAT Report No. CL2015-30, relative to the 2015 Provincial Legislative Review of the MA and MCIA, prepared by the Director of Clerk's Services, be received for information.

CARRIED.

The Director of Clerk's Services highlighted the report.

Mayor L. Armstrong noted that there were quite a few comments in the report for Council's review.

Councillor A. Junker commented that he looks forward to a positive end result from the provincial review to replace the vague nature of the Municipal Conflict of Interest Act with new clarification of potential conflicts.

Mayor L. Armstrong added that there needs to be an easier process for a member to determine if he/she has a conflict. He noted that the Region does have a policy in place relative to reimbursement for individual council members (subject to certain terms) relating to a conflict of interest.

**9.2.3 REPORT NO. CL2015-31
By-law Enforcement
Quarterly Activity Report
July 1st, 2015 to September 30th, 2015**

Resolution No. 2015-228

Moved by: P. Roe

Seconded by: B. Fisher

THAT the Enforcement Activity Report for July 1st, 2015 to September 30th, 2015 be received for information purposes.

CARRIED.

The Senior MLEO highlighted the report.

In response to Councillor A. Junker, the Senior MLEO advised that the illegal dumping appears to be wide-spread throughout the Region.

In response to Councillor P. Roe, the Senior MLEO advised that graffiti has not been an issue in Wilmot. He believes it is due to public education on how to report it and that quick cleanups do make a difference.

**9.2.4 REPORT NO. CL2015-32
Lottery Licence Request
Optimist Club of New Hamburg
Moparfest Car Raffle**

Resolution No. 2015-229

Moved by: M. Murray

Seconded by: J. Gerber

THAT the application from the Optimist Club of New Hamburg be authorized for a raffle lottery licence for an automobile to be awarded at the annual Moparfest event on August 21, 2016 in addition to two early bird prizes with a total value of \$45,240.00;

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 and Township of Wilmot Lottery Licensing Policies.

CARRIED.

The Deputy Clerk highlighted the report.

**9.2.5 REPORT NO. CL2015-33
Petition from Hartmut Weiss for 1210918 Ontario Inc.
Municipal Drainage Works
North Part of Lots 7 & 8
Concession South of Bleams Road
2316 Queen Street
Township of Wilmot**

Resolution No. 2015-230

Moved by: P. Roe

Seconded by: A. Junker

THAT the Township of Wilmot accept the Petition for Municipal Drainage Works received from Hartmut Weiss / 1210918 Ontario Inc. for the north Part of Lots 7 & 8, Concession South of Bleams Road, and further;

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

CARRIED.

9.3 FINANCE – no reports

9.4 PUBLIC WORKS – no reports

9.5 DEVELOPMENT SERVICES

9.5.1 REPORT NO. DS 2015-38
Release of Agreement from Portion of Lands
Part 12, Plan 58R-18450
Will-O Homes (C.S.) Inc.
192-208 Brewery Street, Baden

Resolution No. 2015-231

Moved by: B. Fisher

Seconded by: M. Murray

That the Township release Agreement WR813004 between the Township of Wilmot and Will-O Homes (C.S.) Inc. from the title of a portion of the lands to which the agreement applies described as Part 12, Plan 58R-18450 (PIN 221920177) subject to the following conditions:

1. That the applicant be responsible for all costs related to the preparation and registration of the release by the Township; or,
2. That the applicant prepare and register the release of the agreement at no cost to the Township of Wilmot.

CARRIED.

The Director of Development Services highlighted the report.

In response to Councillor B. Fisher, the Director advised that this proposal actually benefits the abutting property owner and not the developer.

9.6 FACILITIES AND RECREATION SERVICES – no reports

9.7 FIRE

**9.7.1 REPORT NO. FD 2015-10
Quarterly Activity Report**

Resolution No. 2015-232

Moved by: M. Murray

Seconded by: B. Fisher

THAT the Fire Department Activity Report for the third quarter of 2015 be received for information purposes.

CARRIED.

**9.7.2 REPORT NO. FD 2015-11
Proposed Schedule Amendment
Township of Wilmot By-law No. 85-5
By-law to Designate Private Roadways as Fire Routes and
To Prohibit Parking Thereon**

Resolution No. 2015-233

Moved by: B. Fisher

Seconded by: A. Junker

THAT Schedule B of By-law No. 85-5 Being a By-law to Designate Private Roadways as Fire Routes and to Prohibit Parking Thereon within the Township of Wilmot, be amended as per Report No. FD 2015-11.

CARRIED.

The Fire Chief highlighted the report.

Councillor A. Junker advised that he had received concern relative to the fire route violations occurring at the WRC and expressed satisfaction that initiatives to address the situation would be commenced.

9.8 CASTLE KILBRIDE – no reports

10. CORRESPONDENCE

- 10.1 Buckingham Palace – Thank You Letter from the Chief Clerk for The Queen**
- 10.2 The Royal Canadian Legion – Thank You Letter and Certificate of Appreciation (Original Certificate and copy of The Royal Canadian Legion Ontario Command's Military Service Recognition Book – Volume II is available in the Clerk's Library)**

Resolution No. 2015-234

Moved by: J. Gerber

Seconded by: B. Fisher

THAT Correspondence Items 10.1 and 10.2 be received for information.

CARRIED.

Mayor L. Armstrong praised the Royal Canadian Legion's Military Service Recognition Book and

advised that it was available for viewing in the office.

11. BY-LAWS

- 11.1 By-law No. 2015-60 – Fire Route By-law Amendment to Include Wilmot Recreation Complex
- 11.2 By-law No. 2015-61 – Zone Change Application 16/15, Ann and Douglas Clarke, Part of Lots 18 and 19, Plan 532, Being Parts 3 and 6, Plan 58R-10195, 1099 Perth Street

Resolution No. 2015-235

Moved by: M. Murray

Seconded by: A. Junker

THAT By-law Nos. 2015-60 and 2015-61 be read a first, second and third time and finally passed in Open Council.

CARRIED.

12. NOTICE OF MOTIONS

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

Councillor J. Gerber commended the Township with respect to the Mental Health breakfast organized by Interfaith Counselling Centre last week, noting that there was good representation from local organizations and from staff.

Mayor L. Armstrong concurred, stating that this was the first annual event and that there were 250 people in attendance. In future, a bigger venue may be required to accommodate the interest in the community.

Councillor A. Junker noted the Remembrance Day activities to occur in New Dundee park this coming Saturday, which will begin at the school at 10:45 am followed by a walk to the park for the 11:00 am service.

Mayor L. Armstrong added that there will be a service on Wednesday next week in New Hamburg. He also noted that on November 6th, there will be activities with respect to *Random Acts of Kindness* in Wilmot Township.

Councillor P. Roe sent his regrets with respect to the Remembrance Day services this year and the November 23rd Council meeting, as he will be out of the country.

14. BUSINESS ARISING FROM CLOSED SESSION

15. CONFIRMATORY BY-LAW

- 15.1 By-law No. 2015-62

Resolution No. 2015-236

Moved by: B. Fisher

Seconded by: M. Murray

THAT By-law No. 2015-62 to Confirm the Proceedings of Council at its Meeting held on November 2, 2015 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

16. ADJOURNMENT

Resolution No. 2015-237

Moved by: M. Murray

Seconded by: B. Fisher

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

CARRIED.

Mayor

Clerk