

Township of Woolwich

Council Minutes

Tuesday, October 1, 2019

7:00 p.m.

**Council Chambers, 2nd Floor
24 Church Street West, Elmira**

Present: Mayor Shantz;
Councillor Martin;
Councillor McMillan;
Councillor Merlihan;
Councillor Redekop;
Councillor Shantz.

Present from Staff: David Brenneman, Chief Administrative Officer;
Mark Pomponi, Director of Development Services;
Jared Puppe, Director of Infrastructure Services;
Richard Petherick, Director of Financial Services/Treasurer;
Ann McArthur, Director of Recreation and Community Services;
Jeff Smith, Deputy Clerk;
Ian Vaughan, Engineering Technologist;
Sarah Goldrup, Council/Committee Facilitator.

Public Resolution to Move into Closed Session (6:15 P.M. in Council Chambers)

Moved by Councillor McMillan

Seconded by Councillor Redekop

THAT the Council of the Township of Woolwich convenes in closed session on Tuesday, October 1, 2019, in the Councillors' Office in accordance with the Municipal Act, 2001, section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees; and section (c) a proposed or pending acquisition or disposition of land by the municipality or local board. (Surplus Property & Personnel Matter).

...Carried

Resolution to Reconvene in Open Session (7:00 P.M. in Council Chambers)

Moved by Councillor Martin

Seconded by Councillor Merlihan

That the Council reconvenes in open session.

...Carried

Moment of Silence

Mayor Shantz asked for a moment of silence.

Disclosures of Pecuniary Interest

None.

Items to Come Forward from Closed Session

None.

Adoption of Minutes

Moved by Councillor Redekop

Seconded by Councillor Shantz

That the following minutes be adopted as presented:

- Council Minutes – September 10, 2019
- Committee of the Whole Minutes – September 24, 2019
- Special Council Minutes – September 25, 2019

...Carried

Planning Public

Mayor Shantz read the following statement to open the meeting:

This meeting constitutes a formal public meeting required under Sections 34 of the Planning Act. This meeting is for information purposes only, and no decisions will be made at this time. The application will be brought forward at a future meeting of the Committee of the Whole when staff has had an opportunity to review all submissions and prepare a recommendation. All those in attendance will be allowed to speak. Interested parties are invited to sign the appropriate sign-up sheets in the lobby if they wish further notification concerning the applications. Individuals are requested to submit a written outline of any oral submissions made at the Public Meeting to the Meeting Coordinator.

If a person or public body does not make oral submissions at a public meeting, or written submissions to the Township of Woolwich prior to approval or refusal of the proposal, that party is not entitled to appeal the decision or be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

DS05-2019: Planning Public - Zone Change 11/2019 - Joel Martin - 1041 Sawmill Road

Mayor Shantz declared the Public Planning Meeting to be open and asked staff to review the application. Mark Pomponi, Director of Development Services, reviewed the report and stated that a future report with staff's recommendation would be prepared for the Council.

No one else in the gallery requested to speak regarding the application. Mayor Shantz declared the Planning Public Meeting to be closed.

DS08-2019: Surplus Property Maple Street Parking Lot / Home Hardware

Mayor Shantz read the following statement to open the Planning Public meeting:

The purpose of this public meeting is for Council, in accordance with By-law 86-2013, to hear public feedback on the proposed sale and disposition of Township land. The meeting is for information purposes only and no decisions will be made at this time. The application will be brought forward at a future meeting of the Committee of the Whole when staff has had an opportunity to review all submissions and prepare recommendations. All those in attendance will be given an opportunity to speak. Interested parties are invited to sign the appropriate signup sheet in the lobby if they wish further notification with respect to the applications. Individuals are requested to submit a written outline of any oral submissions made at the Public Meeting to the Meeting Coordinator.

Mayor Shantz declared the Surplus Property Public Meeting to be open and asked staff to review the matter. Mark Pomponi, Director of Development Services, reviewed the report and stated that a future report with staff's recommendation would be prepared for the Council.

Jason McDonald, Business Owner

Mr. McDonald expressed his concern about the loss of the parking spaces on Church Street and the Maple Street Lot and the impact on local businesses. Mr. McDonald spoke to the use of the Maple Street Lot, a potential increase of vehicles with the development of 10 Church Street and suggested that replacement parking spaces be created in a location more central to downtown Elmira.

Rob Sutherland

Mr. Sutherland spoke on behalf of Ken Freiburger in support of the declaration of the lands as surplus, the opportunities created, and potential plans to redevelop the site. Mr. Sutherland noted in discussion with Council that the proposed development could include public spaces and reanimating Arthur Street.

Hugh Handy

Mr. Handy spoke on behalf of Krista McBay in support of declaring the lands surplus and noted the opportunity created to realize greater density and growth. Mr. Handy described the proposed development of a six-story, 46-unit apartment building with underground parking of affordable housing for seniors in response to an inquiry from Council.

No one else in the gallery requested to speak regarding the application. Mayor Shantz declared this portion of the Surplus Property Public Meeting to be closed.

Public Meeting

C34-2019: Engineer's Report to update the Zettel Municipal Drain Assessment Schedule

Mayor Shantz read the following statement to open the Public Meeting:

Under Section 42 of the Drainage Act, Council must hold a meeting to give all property owners affected by the drain an opportunity to withdraw their signature from a petition, add their signature to a petition, and influence Council's decision whether to adopt the Engineer's Report.

Mayor Shantz declared the Public Meeting to be open and asked staff to review the report.

Jeff Smith, Deputy Clerk, reviewed the staff and engineer's report. Mr. Smith explained the recommendation to Council as well as the court of revision and further appeal process available to the public. In response to inquiries from Council, staff discussed the Drainage Act, the process of petitioning and maintaining a drain, the contributions of local developers, the distributions of costs shown in the schedules attached to this report, and the breakdown of the drain into sections to support future maintenance.

Bob Martin, Resident of St. Charles Street East

Mr. Martin inquired about the boundary of the drain and confirmed with staff that there were no financial implications for his property.

Michelle Bullock, Resident of the Village Heights Subdivision

Ms. Bullock inquired about the purpose of the work, the schedules of the report, and future maintenance costs.

Patty Shaw, Resident of the Village Heights Subdivision

Ms. Shaw inquired about the distribution of costs, past drainage work, and the future costs of maintaining the drain.

In response to the inquiries, staff clarified that the purpose of the report is to assess the distribution of future costs associated with maintaining the drain. Residents will be assessed according to the Report Cost Distribution section of the report and for recent maintenance work flushing and cameraing the drain. Councillors McMillan, Redekop, and Martin volunteered to sit on the Court of Revision.

Moved by Councillor McMillan

Seconded by Councillor Merlihan

That the Council of the Township of Woolwich, considering Report C34-2019 respecting the Engineer's Report to update the Zettel Municipal Drain Assessment Schedule:

1. accepts the Engineer's Report dated August 28, 2019, prepared by Paul MacIntyre, of R.J. Burnside & Associates Limited Attachment #1,
2. directs staff to bring forward a provisional by-law, for first and second reading only, to the October 1, 2019 Council meeting to adopt the Engineer's Report; and
3. appoints Councillors McMillan, Redekop, and Martin to the Court of Revision for Municipal Drains.

...Carried

No one else in the gallery requested to speak regarding this matter. Mayor Shantz declared this portion of the Public Meeting to be closed.

Presentations

Kate Daley and Nicholas Cloet, Region of Waterloo: Community Climate Adaptation Plan

Council heard a presentation regarding the Region of Waterloo's Community Climate Adaptation Plan, including, the need to adapt to climate change, the development of the community-wide plan for adaptation, and the next steps. Council discussed the development of the plan and funding opportunities.

Delegations

Mary Jane and Patrick Gilbride: REEP Green Solutions

Council heard a presentation from REEP Green Solutions including the co-leadership with Sustainable Waterloo Region on the Climate Change Mitigation Plan as well as other challenges, workshops, events, and resources to support environmentalism in the Region. Council discussed funding opportunities for greening initiatives.

Tara Bedard, Immigration Partnership Council: Immigration Matters Waterloo Region

Council heard a presentation regarding the Immigration Partnership Council's work to help immigrants settle, work, and belong in the Region. The delegation noted that of the population in the Region of Waterloo, 25% of residents are immigrants and that in Township immigrants make up almost 11%, the highest growth rate in the Region. The delegation spoke to the benefits of immigration and the possibilities for collaboration in supporting immigrants settle, work and belong in the Township. Council inquired about the distribution of growth and opportunities for collaborations.

Leanne Bromley: Concerns Regarding Kennels in the Township of Woolwich

Mr. Bromley was not in attendance.

Unfinished Business

None.

Consent Items

Items for Information

None.

Committee of the Whole

Moved by Councillor Redekop
Seconded by Councillor Martin
That Council convenes into the Committee of the Whole.

...Carried

Recommendations from Committee of the Whole – September 24, 2019

Moved by Councillor McMillan

Seconded by Councillor Martin

That the Council of the Township of Woolwich adopts the Summary of Recommendations from the Committee of the Whole meeting of September 24, 2019, as follows:

1. That the Council of the Township of Woolwich, considering Report IS01-2019 respecting Glasgow Street South Bridge Municipal Class Environmental Assessment Project:
 1. Authorizes the Director of Infrastructure to issue the notice of completion for the Glasgow Street South Bridge Class Environmental Assessment Project and file the Environmental Assessment Project File Report with the Municipal Clerk for a minimum 30 day public review period;
 2. Upon final approval of the 2020 Capital Budget, the Director of Infrastructure, be authorized and directed to proceed with the implementation of the preferred alternative;
 3. Council waives the purchasing by-law (By-law 71-2015), in this instance, and awards GM BluePlan the detailed design and tendering project for the rehabilitation of the Glasgow Street South bridge and required work on Glasgow Street South/Millennium Boulevard.
2. Whereas the Canadian government has committed to limiting global warming to 1.5 degrees as per the COP21 Paris Agreement;

Whereas Canada's temperature is rising more than double the rate of the rest of the world;

Whereas municipalities are significant contributors to climate change, consuming more than two thirds of the world's energy and accounting for more than 70% of its carbon emissions;

Whereas the Township of Woolwich is committed to climate action and understand our role as a global citizen and the need to be prepared for the effects of climate change;

Whereas the Township of Woolwich is a member of Sustainable Waterloo Region (SWR) and is actively working with SWR staff to establish a corporate greenhouse gas emissions reduction target;

Whereas the Township of Woolwich established a special Greening levy as part of the 2019 Budget to implement the recommendations outlined in the Greening Initiative report;

Whereas the Township of Woolwich is part of a collaborative effort with the Region of Waterloo and the other Area Municipalities concerning the implementation of the Regional Community Energy Investment Strategy;

Whereas effective accountability is a key element of meeting targets;

Whereas the City of Oslo established a Climate Budget that allows them to be accountable for their emissions on a yearly basis and to spread the responsibility of emission reductions across the organization;

Therefore be it resolved that the Township of Woolwich does hereby declare a climate emergency with the directive to provide continued support to corporate and community climate action at the Township and work over time towards improved targets where possible;

Be it further resolved that staff be directed to outline a process to evaluate the implementation of a corporate carbon budget as part of the municipalities long-term commitment to reduce carbon emissions as per the ClimateActionWR target using baseline carbon emissions data compiled through our partnership with the Regional Sustainability Initiative;

And be it further resolved that the Township of Woolwich advocate for senior level government funding, and investigate alternative funding, with respect to the implementation of a potential Carbon Budget.

3. That in accordance with Report DS03-2019, the Council of the Township of Woolwich indicate that it has no objection with the proposal submitted by Shared Network to erect a 65-metre high wireless communication tower on lands known as 658 Sawmill Road, which in the Township's opinion is compliant with the requirements of Industry Canada's Radio Communications and Broadcasting Antenna Systems protocol CPC-2-0-03 and that all obligations for public consultation and for Township and the CPC have been adequately addressed.
4. That the Council of the Township of Woolwich, considering Report A11-2019 respecting the recruitment of a HR Generalist Position, confirms the target start date for the position as early January 2020 as-per the already approved Organizational Review report (A04-2019).

...Carried

Staff Reports and Memos

IS03-2019: Consultant Award for the 2019 Bridge and Culvert Program

Ian Vaughan, Engineering Technologist, reviewed the report and confirmed that the pre-approval was to support the early tender of the preliminary designs for the 2019 Bridge and Culvert Program.

Moved by Councillor Merlihan

Seconded by Councillor McMillan

That the Council of the Township of Woolwich, considering Report IS03-2019 respecting the Township of Woolwich's 2019 Bridge and Culvert Program:

1. awards the contract for engineering services for OSIM PART A of the 2019 Bridge and Culvert Program to GM BluePlan Engineering Limited at a cost of \$34,761.22 after H.S.T. rebate;
2. awards the contract for engineering services for PART B and PART C structure detail design and tendering as pre-budget approval of the 2020 Capital Bridge Budget for the 2019 Bridge and Culvert Program to GM BluePlan Engineering Limited at a cost of \$119,771.52 after H.S.T. rebate;
3. authorizes the Mayor and Clerk to sign the Township of Woolwich's agreement for Professional Consulting Services.

...Carried

Verbal Update: Trail Whistle Cessation

Jared Puppe, Director of Infrastructure Services, explained that staff had gathered some preliminary information on the cessation processes and confirmed that the road authority would bear the costs to update infrastructure. In discussion with Council, Mr. Puppe noted the work would also serve to confirm compliance with new transportation regulations and stated that a future report would be prepared for Council. Council discussed the prioritization of crossings near developed areas, urbanization near railways, transportation regulations, and concerns about safe sound levels.

Paul Kalbfleisch

Mr. Kalbfleisch spoke to his history in the area and concerns about the noise created by trains.

Other Business

Mayor's Report on Regional Matters

None.

Council Reports/ Updates

Council discussed the progress of Sawmill Road and the recent culvert work completed.

Outstanding Council Activity List as of September 27, 2019

None.

First and Second Reading of the By-laws

Moved by Councillor Shantz

Seconded by Councillor Merlihan

That the following by-laws be introduced and read a first and second time:

- Being a By-law to Varying Original Assessments for Maintenance of the Zettel Municipal Drain
- A By-law to Confirm All Actions and Proceedings of the Council

...Carried

Adoption of proceedings of the Committee of the Whole

Moved by Councillor McMillan

Seconded by Councillor Shantz

That the Committee of the Whole rises and reports to Council.

...Carried

Moved by Councillor Redekop

Seconded by Councillor Martin

That Council confirms and adopts the proceedings of the Committee of the Whole.

...Carried

Correspondence

Richard Petherick, Director of Financial Services/Treasurer, discussed the long-standing issue of joint and several liability and the recommendations of the recent AMCTO report. Mr. Petherick noted that the report would be included in a future meeting package with a draft letter of support for Council's consideration.

Council received the following correspondence:

- Comments from the Township of Springwater Regarding Joint and Several Liability
- Township of North Glengarry Resolution Regarding the Pupil Accommodation Review Guideline
- City of Waterloo Resolution Denouncing Bill 21 in the Province of Quebec

Public Notice

None.

Notice of Closed Meetings

None.

Notice of Motion

None.

Final Passage of By-laws

Moved by Councillor Shantz

Seconded by Councillor Merlihan

That the following by-law in the hands of the Clerk be read a third time and finally passed, that it be numbered as By-law 72-2019, and that it be signed by the Mayor and Clerk and sealed with the corporate seal:

- A By-law to Confirm all Actions and Proceedings of the Council

...Carried

Adjournment

Moved by Councillor Martin

Seconded by Councillor McMillan

That the meeting adjourns to meet again in regular session on October 29, 2019.

...Carried

Sandy Shantz

Sandy Shantz, Mayor

Jeff Smith

Jeff Smith, Deputy Clerk