

MINUTES

DATE: Wednesday, June 5, 2013

TIME: 1:00 P.M.

The Thirteenth Regular 2013 Council Meeting was held on the above date and called to order at 1:00 p.m. in the Council Chambers, Aberfoyle.

1. **ATTENDANCE:**

All members of Council

STAFF IN ATTENDANCE:

1. Karen Landry, CAO/Clerk
2. Donna Tremblay, Deputy Clerk
3. Robert Gordon, Chief Building Officer
4. Don Creed, Director Public Works and Parks

OTHERS IN ATTENDANCE

1. Doris Bennett
2. Ken Bennett
3. Bert Bennett
4. Edwina Bennett
5. Sean Galbraith
6. Janice Marr
7. Jean Stalhbaum
8. Fred Stalhbaum
9. S. Johnson
10. Doug Smith
11. Helen Purdy
12. A. Salis

2. **DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

1. Councillor Fielding disclosed a pecuniary interest with respect to Item numbers 5.1(a) and (b) Hwy 6 By-pass & Morrison Community and 7(5)(b) – verbal report from Mayor Dennis Lever regarding University of Waterloo Study on Economic Impact of Hwy #6 as a family member of Councillor Fielding owns property in the area. Councillor Fielding left the Council Table and did not partake in any discussion or voting on the matters.
2. Councillor Roth disclosed a pecuniary interest with respect to item number 7.3(a) as he may have a similar request in the future. Councillor Roth left the Council Table and did not partake in any discussion or voting on the matters.

3. **ADOPTION OF THE MINUTES:**

Resolution No. 2013-078: Moved by Councillor Roth and
Seconded by Councillor Schmidt

THAT: the minutes of the following meetings be adopted as written and distributed:

- Council Meeting held May 15, 2013
- Closed Meeting held May 15, 2013

CARRIED.

4. **BUSINESS ARISING OUT OF THE MINUTES:**

None

5. **COMMUNICATIONS:**

1. **Hwy 6 By-pass & Morriston Community**

***refer to item 2(1) regarding Disclosure of Pecuniary Interest-Councillor Fielding.**

- a) Correspondence from The Honourable Mr. Glen Murray, Minister of Transportation, to Wellington-Halton Hills MPP Ted Arnott dated May 10, 2013.
- b) Correspondence from Wellington-Halton Hills MPP Ted Arnott dated May 16, 2013 to The Honourable Glen Murray, Minister of Transportation.

2. **County of Wellington**

- a) Correspondence from the County of Wellington regarding the County Official Plan Amendment #81 – County File No.: OP-2009-06 County of Wellington – Five Year Review
- b) Correspondence from the County of Wellington regarding the County Official Plan 5-year review, Consideration of Changes to the Secondary Agriculture Lot Size Policies and attached County Committee Planning Report dated April 3, 2013

Resolution No. 2013-079: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That the correspondence from the County of Wellington dated April 24, 2013, regarding the County Official Plan 5 year Review - Consideration of Changes to the Secondary Agricultural Lot Size Policies be received; and

That the Township recommends that the maximum lot size policy be removed and the minimum size continues to be 0.4 ha with no upper limit.

CARRIED.

3. **City of Guelph – Water Supply Master Plan**

- a) Correspondence from the City of Guelph to Mayor Dennis Lever, Township of Puslinch regarding Information Brief – Water Supply Master Plan/Class Environmental Assessment.

Resolution No. 2013-080: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That the correspondence from the City of Guelph to Mayor Lever dated May 29, 2013, regarding Information Brief – Water Supply Master Plan/Class Environmental Assessment be received; and

That Council appoint Councillor Stokley to the City of Guelph's Community Liaison Committee regarding their Water Supply Master Plan Update; and

That Mayor Dennis Lever be appointed as an alternative.

CARRIED.

4. **Morriston Estates**

- a) Correspondence from Colin M. Bain to Township of Puslinch dated May 13, 2013.

5. **Cox Construction Limited, Pit Licence No. 20749**

- a) Correspondence from Ministry of Natural Resources to Mr. Russell Cox dated April 23, 2013.

6. **Monitoring Programs for the University of Guelph, Mill Creek Pit, Licence #5738**

- a) Correspondence from the Ministry of Natural Resources dated March 15, 2013;
- b) Correspondence from the Township of Puslinch to Stan Denhoed, Harden Environmental Services Ltd. dated April 18, 2013.
- c) Email from Stan Denhoed to Township of Puslinch dated April 30, 2013.

7. **Intergovernmental Affairs**

- a) Various correspondences for review.

Resolution No. 2013-081: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That the correspondence items listed on the Council agenda from the June 5, 2013 Council meeting be received.

CARRIED.

6. **DELEGATIONS**

1. Mr. Ken Bennett—regarding Proposed Rogers Communications Wireless Telecommunications Antenna Installation – 4555 Victoria Road South (RR#1) Puslinch

Mr. Bennett made a presentation to Council which included his concerns surrounding the process and location with respect to the installation of the telecommunications antenna.

Resolution No. 2013-082: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That the delegation by Ken Bennett, regarding the proposed installation of a Rogers Communications Wireless Telecommunications Antenna at 4555 Victoria Road South (RR#1), Puslinch be received; and

That the proponent Rogers respond to the inquiries raised by the delegate and Council; and

That Rogers report back to Council on this matter.

CARRIED.

2. Katherine J. Menyes, Director, Watershed Management Services regarding - Conservation Halton Watershed Report Card 2013.

Ms. Menyes made a presentation to Council which included a summary of the organization of the Conservation Authority, types of monitoring works that they perform and a summary of the Township of Puslinch's results in those various categories. Mayor Dennis Lever requested the delegate to provide information to the Township on stewardship program residents of the Township could participate in.

Resolution No. 2013-083: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That the delegation by Katherine J. Menyes, Director, Watershed Management Services, regarding Conservation Halton Watershed Report Card be received.
CARRIED.

3. Mark Paoli, Manager of Policy Planning, regarding – County of Wellington Official Plan 5-year review.

Mr. Paoli made a presentation to Council with respect to the progress that the County has made regarding their 5 year review and proposed amendments to the County's Official Plan.

Resolution No. 2013-084: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That the delegation by Mark Paoli, Manager of Policy Planning, regarding the County of Wellington Official Plan 5-year review be received.
CARRIED.

7. **REPORTS:**

1. **Puslinch Fire and Rescue Services**

- (a) Report FIR- 2013-001 regarding Amendments to Fire and Rescue Committee Mandate.

Resolution No. 2013-085: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Report FIR-2013-001 regarding Amendments to Mandate – Fire and Rescue Committee, be received; and

That Council approve the amended Mandate for the Fire and Rescue Committee as outlined in Report FIR-2013-001; and

That staff bring forward a By-Law to amend By-law 50/11 for the purpose of revising the Fire and Rescue Committee Mandate.

CARRIED.

2. **Roads Department**

- (a) Road Construction Tender – Victoria Road between Maltby Road and County Road #34

Don Creed, Director of Public Works and Parks provided Council with an update on the various roads projects which the Township has been involved in and will be undertaking during the summer months.

- (b) Accounts for Payment – May 2013.
Puslinch Roads Department – May 2013
Optimist Recreation Center – May 2013

Resolution No. 2013-086: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Council hereby receives the Road Construction Tender – Victoria Road between Maltby Road and County Road #34 for information; and

That Council hereby approves the Roads Department Accounts for payment for May, 2013, in the amount of \$84,072.79; and

That Council hereby approves the Optimist Recreation Center Accounts for May 2013, in the amount of \$5,188.47.

CARRIED.

(c) Report PW-2013-001 regarding Amendments to Public Works Committee Mandate.

Resolution No. 2013-087: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Report PW-2013-001 regarding Amendments to Mandate – Public Works Committee, be received; and

That Council approve the amended Mandate for Public Works Committee as outlined in Report PW-2013-001; and

That staff bring forward a By-law to amend By-law 50/11 for the purpose of revising the Public Works Mandate.

CARRIED.

3. Recreation

***refer to item 2(2) regarding Disclosure of Pecuniary Interest-Councillor Roth**

(a) Report REC-2013-001 – Request for use of Township Lands – Puslinch Community Centre Grounds – Pilot Proposal.

Councillor Schmidt indicated that he would be bringing a Notice of Motion to the next Council meeting requesting that staff research and report back to Council on establishing a licensing system for refreshment vehicles.

Resolution No. 2013-088: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Report REC-2013-001 regarding the use of Township Lands – Puslinch Community Centre Grounds – Pilot Proposal be received; and

That Council hereby authorizes the use of the Puslinch Community Centre Grounds in the vicinity of the ball diamond to DarMax Inc. (Darlene Harrietha) on Thursday evenings from 6:00 p.m. to 10:00 p.m. for the period commencing June 6 to and including August 1, 2013, for the purpose of piloting the sale of prepackaged foods subject to the following:

- Submission of proof of notification to the Wellington Dufferin Guelph Public Health of the said activity;
- Submission of a “Certificate of Insurance” substantiating that DarMax Inc. has General Liability coverage in the amount of \$1,000,000.00 which includes notification to the Township in the event that the policy is cancelled.
- Submission of a letter acknowledging that the proponent is responsible for their inventory and equipment (e.g. table, food products)

CARRIED.

4. Building Department

(a) Chief Building Official Report – May, 2013

Robert Kelly, Chief Building Official, provided Council with a summary of May, 2013 results.

Resolution No. 2013-089: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That Council receive the Chief Building Official Report for May, 2013.
CARRIED.

5. Administration

Verbal report from Mayor Dennis Lever regarding University of Waterloo Study on Economic Impact of Hwy #6. ***refer to item 2(1) regarding Disclosure of Pecuniary Interest-Councillor Fielding.**

Mayor Lever advised Council that it is anticipated that the University of Waterloo Study on Economic Impact of Hwy#6 should be ready for review by the end of June or early July.

- (a) Report ADM-2013-001 regarding lifting the 0.3m Reserve and dedicating the reserve as Part of a Public Highway – McLean Road.

Resolution No. 2013-090: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Report ADM-2013-001 regarding the Lifting of a 0.3m Reserve and dedicating the Reserve as part of a Public Highway – McLean Road be received; and

That Council enact a By-law to lift the 0.3m reserve and dedicate Parts 5,7 and 9, on Reference Plan 61R-11887 and Parts 2 & 4, on Reference Plan 61R-11188 as part of the public highway system known as McLean Road.

CARRIED.

8. COMMITTEE MINUTES

Public Information Meeting – May 8, 2013
Fire and Rescue Committee– April 17, 2013
Recreation Committee– April 16, 2013
Planning and Advisory Committee Meeting- March 25, 2013

Resolution No. 2013-091: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That Council hereby receives the following minutes as information:

- Public Information Meeting – May 8, 2013
- Fire and Rescue Committee – April 17, 2013
- Recreation Committee – April 16, 2013
- Planning and Advisory Committee Meeting – March 25, 2013

CARRIED.

9. ACCOUNTS FOR PAYMENT

- (a) Gamsby and Mannerow Limited accounts dated May 16, 2013.

Resolution No. 2013-092: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That the various accounts for Gamsby and Mannerow Limited –dated May 16, 2013 be authorized for payment.

CARRIED.

10. **BY-LAWS:**

Resolution 2013-093: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That the following By-laws be taken as read three times and finally passed in open Council:

- By-law **42 /13** being a By-law to amend By-law 50/11 to update the Mandates for Fire & Rescue and Public Works Committees of Council of the Township of Puslinch.
- By-Law **43/13** being a by-law to lift, dedicate and name 0.3 meter reserves on Reference Plan 61R-11887 and 61R-11888.

CARRIED.

11. **MUNICIPAL ANNOUNCEMENTS**

Puslinch Lake Conservation Association

Councillor Stokley advised Council that the Association held their meeting on May 28, 2013. The meeting was well attended and there was significant interest in the dredging project. The project is scheduled to begin within the next 2 months. Councillor Stokley advised Council that the project has received financial donations from the some of the residents.

Friends of the Mill Creek

Councillor Stokley advised Council that the first walk of the Mill Creek Watershed Walk was a success and the next walk is scheduled to take place on Sunday, June 16th at 2:00 p.m. at the Optimist Recreation Centre.

Public Works Committee Meeting

Councillor Roth advised Council that the June 14, 2013 meeting has been postponed to July 19, 2013.

Puslinch Community Center

Councillor Fielding advised Council that the new washrooms would be available for use on June 6, 2013.

Guelph Hiking Club

Mayor Lever advised Council that he recently attended the 40th anniversary celebration of the Guelph Hiking Club.

Public Meeting – County of Wellington Official Plan

Mayor Lever advised that he along with some members of Council and Karen Landry, CAO/Clerk attended a Public Meeting presentation by the County of Wellington with respect to their 5 year review of their Official Plan on May 28, 2013.

Puslinch Minor Soccer

Mayor Lever advised Council that the Puslinch Minor Soccer Club has extended an invitation to come to their barbeque and picture day on Saturday, June 8th at 11:00 a.m.

12. CLOSED MEETING:

Council was in Closed session from 3:00 pm to 3:33 pm

- Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual municipal or local board employees- Recruitment Director of Finance/Treasurer.
- Confidential Report from Stephen Garrod, Township Solicitor dated May 22, 2013 regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – OMB Appeal – Krayishnik – 6643 Concession 2.
- Confidential Verbal Report from Karen Landry, CAO regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Construction Lien.

Resolution 2013-094: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Council shall go into closed session under Section 239 of the Municipal Act for the purposes of:

- Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual municipal or local board employees- Recruitment Director of Finance/Treasurer.
- Confidential Report from Stephen Garrod, Township Solicitor dated May 22, 2013 regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – OMB Appeal – Krayishnik – 6643 Concession 2.
- Confidential Verbal Report from Karen Landry, CAO regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Construction Lien.

CARRIED.

Resolution 2013-095: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Council move into open session.

CARRIED.

Resolution 2013-096: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Council receive the following:

- Confidential Verbal Report from Karen Landry, CAO/Clerk regarding personal matters about an identifiable individual municipal or local board employees- Recruitment Director of Finance/Treasurer.
- Confidential Report from Stephen Garrod, Township Solicitor dated May 22, 2013 regarding litigation and potential litigation, including matters before administrative

tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – OMB Appeal – Krayishnik – 6643 Concession 2.

CARRIED.

Resolution 2013-097: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council receive the confidential verbal report from Karen Landry, CAO regarding litigation and potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-Client privilege, including communications necessary for that purpose – Construction Lien; and

That staff proceed as directed.

CARRIED.

13. UNFINISHED BUSINESS:

None.

14. CONFIRMING BY-LAW:

Resolution 2013-098: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That the following By-law be taken as read three times and finally passed in open Council:

- By-Law **44/13** being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 5th day of June, 2013.

CARRIED.

15. ADJOURNMENT:

Resolution No. 2013-099: Moved by Councillor Schmidt and
Seconded by Councillor Roth.

That Council hereby adjourns at 3:36 p.m.

CARRIED.

Signed: _____



Dennis Lever, Mayor



Karen Landry, CAO/Clerk