



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH
SIXTEENTH REGULAR 2013 COUNCIL MEETING

MINUTES

DATE: Wednesday, August 14, 2013

TIME: 7:30 P.M.

The Sixteenth Regular 2013 Council Meeting was held on the above date and called to order at 7:30 p.m. in the Council Chambers, Aberfoyle.

Mayor Lever advised that individuals are to ensure that they are not making comments during the meetings. If decorum cannot be maintained during the meeting, the offending party will be asked to leave.

1. **ATTENDANCE:**

Mayor Dennis Lever
Councillor Susan Fielding
Councillor Ken Roth
Councillor Jerry Schmidt
Councillor Wayne Stokley

STAFF IN ATTENDANCE:

1. Donna Tremblay, Deputy Clerk
2. Mary Hasan, Director of Finance/Treasurer
3. Don Creed, Director Public Works and Parks
4. Karen Landry, CAO/Clerk

OTHERS IN ATTENDANCE

1. Helen Purdy
2. Kristin O'Connor
3. John Hall
4. Karen Lever
5. Don McKay
6. Jameson Pickard
7. Janice Marr
8. Kathy White
9. Aldo Salis

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

1. Councillor Fielding disclosed a pecuniary interest with respect to item number 6.4(a) 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 matter.

3. **ADOPTION OF THE MINUTES:**

Note: The following corrections were noted to the Minutes that were initially distributed with the Agenda Package.

- Item 1.3 - Others in attendance – Don Van Ootehen – spelling corrected to “Ron Van Ooteghem”



- Item 1.3 – Others in attendance - Addition of Bev Wozniak.

Resolution No. 2013-154: 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 July 17, 2013, as amended
- Closed Meeting held July 17, 2013
- Special Council Meeting – July 23, 2013

CARRIED

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

Item 5– Communications

1. **County of Wellington**

- a) County of Wellington Administration, Finance and Personnel Committee Report – 2013 Supplementary and Weighted Assessment Report – June 18, 2013.
- b) County of Wellington Administration, Finance and Personnel Committee Report – Puslinch Gravel Pit Appeals – June 18, 2013.

Mayor Lever advised council that Concast appealed their 2013 assessment and there had not been a decision rendered.

5. **PUBLIC MEETINGS:**

1. **Zoning By-law Amendment Application D14-CLA – Andrea Clarke**

- a) Notice of Public Meeting.

***see Public Meeting Minutes dated August 14, 2013.**

2. **Zoning By-law Amendment Application D14-ROC- Rockway Holdings Ltd.**

- a) Notice of Public Meeting.

*** see Public Meeting Minutes dated August 14, 2013.**

6. **COMMUNICATIONS:**

1. **Zoning By-law Amendment Application D14-CLA – Andrea Clarke**

- (a) Correspondence from Jameson Pickard to the Township of Puslinch with respect to Proposed Zoning By-law Amendment #P3/2013 Andrea Clarke dated August 6, 2013.

Resolution No. 2013-155: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That the correspondence dated August 6, 2013, from Jameson Pickard, Junior Planner, County of Wellington with respect to proposed zoning by-law Amendment #P3/2013 Andrea Clarke be received; and



That Council enact a By-law to amend Zoning By-Law 19/85, as amended to address the reduced frontage and MDS1 compliance for the existing barn as outlined in the correspondence from the County of Wellington dated August 6, 2013.

CARRIED

2. Zoning By-law Amendment Application D14-ROC- Rockway Holdings Ltd.

- (a) Correspondence from Jameson Pickard to the Township of Puslinch with respect to Proposed Zoning By-Law Amendment #P2/2013 Rockway Holdings Limited (Roszell Pit) dated August 6, 2013.

Resolution No. 2013-156: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That the correspondence dated August 6, 2013, from Jameson Pickard, Junior Planner for the County of Wellington, with respect to Proposed Zoning By-Law Amendment #P2/2013 Rockway Holdings Limited (Roszell Pit) be received; and

That Council enact a by-law to amend By-Law Number 19/85, as amended, to change the Agricultural exemption zone (A-46) for the severed lands and to amend the Zoning on the retained lands to recognize a reduced frontage from 104m versus 121.9 m as specifically outlined in the correspondence from the County of Wellington dated August 6, 2013.

CARRIED

3. Puslinch Community Centre – Parkland Trail

- a) Email correspondence from Nathan Garland, Grand River Conservation Authority, to the Township of Puslinch Regarding Puslinch Community Centre – Parkland Trail dated July 23, 2013.
- b) Email correspondence from Greg Scheifele, GWS Ecological & Forestry Services Inc. to the Township of Puslinch Regarding Puslinch Community Centre Parkland Trail dated July 22, 2013.
- c) Correspondence from GWS Ecological & Forestry Services Inc. to Township of Puslinch regarding Puslinch Community Centre – Parkland Trail dated June 13, 2013

Councillor Stokley requested that staff arrange a tour of the proposed trail area with council and the consultants.

Resolution No. 2013-157: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That the correspondence from GWS Ecological Forestry Services Inc. dated June 13, 2013, and July 22, 2013 regarding the Puslinch Community Centre Parkland Trail be received; and

That Staff take into consideration the comments raised by Council, GWS and GRCA and report back to Council during the budget deliberations with the costs to implement and maintain a Parkland Trail.

CARRIED



4. **Hwy 6 – Morriston By-pass Project**

***refer to Item 2.1 regarding Disclosure of Pecuniary Interest – Councillor Fielding.**

- a) Correspondence from The Honourable Glen Murray, Minister of Transportation and Infrastructure to Ted Arnott, MPP, Wellington-Halton Hills dated July 5, 2013.
- b) Correspondence from County of Wellington to Township of Puslinch dated July 24, 2013 with attached Report entitled "*Highway 6 Streetscape Strategy For Morriston.*"

Staff were directed to provide a copy of the County of Wellington's Report to those who participated in this project.

Resolution No. 2013-158: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That the Morriston Highway 6 Streetscape Strategy dated July 2013 and prepared by the County of Wellington be received; and

That Staff proceed with retaining MacKinnon & Associates to prepare a landscape plan for Morriston Streetscape Planting as outlined in their letter dated July 19, 2013; and

That the funds set aside in the 2013 Capital Budget – Traffic Calming for the project be used to fund this work; and

That MacKinnon & Associates, in addition to providing a preliminary construction cost estimate, provide a detailed outline of the associated perpetual maintenance costs (labour and materials).

CARRIED

5. **Intergovernmental Affairs**

- a) Various correspondences for review.

Resolution No. 2013-159: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That the correspondence items listed on the Council agenda from the August 14, 2013 Council meeting be received.

CARRIED

7. **DELEGATIONS**

1. Kristin O'Connor, Research and Report Writer and John Hall Remedial Action Plan Coordinator for the Hamilton Harbour Remedial Action Plan– Presentation on the Hamilton Harbour Remedial Action Plan and the Bay Area Restoration Council.

Ms. O'Connor provided council with a summary of the Hamilton Harbour Remedial Act Plan and a summary of the Bay Area Restoration Council involvement in the project. Ms. O'Connor provided council with the history, summary of the restoration programs, success, challenges and future goals of the project. Council thanked the delegation for



her presentation and expressed their recognition of the improvements which have been made to the Hamilton Harbour.

Resolution No. 2013-160: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That the delegation by Kristin O'Connor, Research and Report Writer and John Hall, Remedial Action Plan Coordinator for the Hamilton Harbour Remedial Action Plan – Presentation on the Hamilton Harbour Remedial Action Plan and the Bay Area Restoration Council be received.

CARRIED

8. **REPORTS:**

1. **Puslinch Fire and Rescue Services**

- (a) Puslinch Fire and Rescue Services Response Report for July 2013.
- (b) Puslinch Fire and Rescue Services Payment Request – Expenses for July 2013.

Councillor Schmidt provided council with a summary of the items discussed at the Fire and Rescue Committee meeting held on August 14, 2013. Councillor Schmidt advised council that staff provided the committee with a report which included a draft amended fireworks by-law. Councillor Schmidt advised council that this information would be forthcoming to council.

Councillor Schmidt advised council that the data which was collected from May to July, 2013 regarding the satellite fire station trial is in the process of being reviewed.

Resolution No. 2013-161: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Council receive the Puslinch Fire and Rescue Services Response report for July 2013; and

That Council hereby approves the Puslinch Fire and Rescue Services accounts for payment for July 2013 in the amount of \$40,663.15.

CARRIED

2. **Finance Department**

- (a) Financial Report as of July 31, 2013.
- (b) Statement of Expenditures for the period ending July 31, 2013.
- (c) Budget Report by Department as of July 31, 2013.
- (d) Budget Report as of July 31, 2013.

Resolution No. 2013-162: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Council hereby receives the following reports as information:

- Financial Report as of July 31, 2013.
- Statement of Expenditures for the period ending July 31, 2013.
- Budget Report by Department as of July 31, 2013.
- Budget Report as of July 31, 2013.

CARRIED



(e) Report – FIN-2013-002- Optimist Recreation Centre Drainage Project.

Resolution No. 2013-163: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Report FIN-2013-002 regarding the Optimist Recreation Centre Drainage Project be received; and

That additional funds in the amount of \$51,658.50 be derived from the surplus from the Gore Road Project as outlined in Report FIN-2013-002.

CARRIED

3. Planning and Building Department

(a) Chief Building Official Report – July 2013

Resolution No. 2013-164 Moved by Councillor Fielding and
Seconded by Councillor Stokley

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

CARRIED

4. Roads & Parks Department

(a) Roads Accounts for payment – July 2013

(b) Optimist Recreation Centre accounts for payment – July 2013

Resolution No. 2013-165: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council hereby approves the Roads Department Accounts for payment for July, 2013, in the amount of \$96,454.30; and

That Council hereby approves the Optimist Recreation Center Accounts for payment for June 2013, in the amount of \$5,606.27.

CARRIED

(c) Memorandum from Gamsby and Mannerow Ltd. regarding Cooks Mill Road Bridge Repairs Update dated August 8, 2013.

Resolution No. 2013-166: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That the Memorandum from Gamsby and Mannerow Ltd. regarding Cooks Mill Road Bridge Repairs update dated August 8, 2013 be received; and

That the Bridge remain closed until staff can implement a temporary solution through the installation of jersey barriers and/or guardrails to facilitate the use of the bridge until such time as lands can be acquired to complete the Cooks Mill Bridge Project.

CARRIED



5. **Administration Department**

- (a) Report REC-2013-002- Agreement with Whistle Stop Co-operative Pre-school Inc. – for daycare services – Puslinch Community Centre – 23 Brock Rd S.

Mayor Lever requested staff to ensure that the parties to the agreement are advised that the Township is currently reviewing gratuitous use of facilities and that they be provided with a copy of this Report.

Resolution No. 2013-167: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That Report REC-2013-002 regarding Agreement with Whistle Stop Co-operative Pre- School Inc. – for daycare services – Puslinch Community Centre – 23 Brock Rd. S. be received; and

That Council enact a by-law to authorize the Mayor and Clerk to execute the Agreement with Whistle Stop Co-Operative Pre-School Inc.

CARRIED

- (b) Report REC-2013-003 – Agreement with Guelph Community Health Centre – for daycare services – Puslinch Community Centre – 23 Brock Rd S.

Mayor Lever requested staff to ensure that the parties to the agreement are advised that the Township is currently reviewing gratuitous use of facilities and that they be provided with a copy of this Report.

Resolution No. 2013-168: Moved by Councillor Fielding and
Seconded by Councillor Stokley

That Report REC-2013-003 regarding the Agreement with Guelph Community Health Centre – for daycare services – Puslinch Community Centre – 23 Brock Road S. be received; and

That Council enact a by-law to authorize the Mayor and Clerk to execute the Agreement with the Guelph Community Health Centre.

CARRIED

9. **NOTICE OF MOTION:**

None.

10. **COMMITTEE MINUTES**

Heritage Committee – April 16, 2013

Resolution No. 2013-169: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Council hereby receives the following minutes as information:

- Heritage Committee – April 16, 2013

CARRIED



11. **ACCOUNTS FOR PAYMENT**

- (a) Harden Environmental Services Ltd. accounts dated June 30, 2013
- (b) Gamsby and Mannerow Limited Account dated June 28, 2013

Resolution No. 2013-170: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That the various accounts for Harden Environmental Services Ltd. dated June 30, 2013, in the amounts of \$526.78, \$807.95 and \$1,248.65 and Gamsby and Mannerow Limited dated June 28, 2013 in the amount \$718.80 be authorized for payment.

CARRIED

12. **MUNICIPAL ANNOUNCEMENTS**

Halton-Hamilton Source Water Protection Committee

Councillor Fielding advised council that the contract for the former Chair of the Committee Doug Cuthbert has not been renewed. The committee will be appointing an interim-chair from the committee members and have advertised for a new Chair for a 3 year term.

Puslinch Lake Conservation Authority

Councillor Stokley advised council that on August 7, 2013, he attended the Puslinch Lake Conservation Meeting and was able to take a tour of the dredging area. Councillor Stokley provided council with an explanation of the dredging procedure and amount of materials which are being removed from the lake.

Badenoch Corn Roast and Barbeque

Councillor Schmidt advised council that he attended the Badenoch corn roast and barbeque on August 10, 2013. He advised council that the event was well attended and was a financial success.

AMO Conference

Mayor Lever advised that he along with some members of council will be attending the AMO Conference in Ottawa on August 18th to 21st. He advised council that he will be giving a presentation at the TAPMO meeting and requested that members of council who will be attending the conference make a presentation on what meetings they attended at the conference and the benefits of those meetings to the Township. Presentations are to be made at the next meeting of council.

13. **CLOSED MEETING:**

Council was in Closed session from 4:30 pm to 5:41 pm

Resolution 2013-171: 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:

- (a) Confidential Verbal Report from Stephen Garrod, Township Solicitor regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to Solicitor-



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Client privilege, including communications necessary for that purpose – Land Acquisition – Cook’s Bridge abutting lands.

- (b) Confidential Verbal Report from Karen Landry, CAO regarding personal matters about an identifiable individual including municipal or local board employees – Recruitment and Organizational Update.
- (c) Confidential Verbal Report from Karen Landry CAO/Clerk, regarding litigation or 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 – Superior Court Application – Krayishnik – 6643 Concession 2.

CARRIED

Council recessed from 5:41 p.m. to 7:30 p.m.

Resolution 2013-172: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Council move into open session.

CARRIED

- 13. (a) Confidential Verbal Report from Stephen Garrod, Township Solicitor regarding litigation or 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 – Land Acquisition – Cook’s Bridge abutting lands.

Resolution 2013-173: Moved by Councillor Schmidt and
Seconded by Councillor Roth

That Council receive the Confidential Verbal Report from Stephen Garrod, Township Solicitor regarding litigation or 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 – Land Acquisition – Cook’s Bridge abutting lands; and

That staff proceed as directed.

CARRIED

- (b) Confidential Verbal Report from Karen Landry, CAO regarding personal matters about an identifiable individual including municipal or local board employees – Recruitment and Organizational Update.

Resolution 2013-174: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Council receive the Confidential Verbal Report from Karen Landry, CAO regarding personal matters about an identifiable individual including municipal or local board employees – Recruitment and Organizational Update.

CARRIED

- (c) Confidential Verbal Report from Karen Landry CAO/Clerk, regarding litigation or 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 – Superior Court Application
– Krayishnik – 6643 Concession 2.

Resolution 2013-175: Moved by Councillor Stokley and
Seconded by Councillor Fielding

That Council receive the Confidential Verbal Report from Karen Landry, CAO/Clerk, regarding litigation or 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 – Superior Court Application – Krayishnik – 6643 Concession 2.

That the Township's solicitor be authorized to proceed with a Notice of Return of Application to seek an Order for demolition.

CARRIED

14. UNFINISHED BUSINESS:

None.

15. BY-LAWS:

1. By-Law to Amend the Zoning By-Law (Andrea Clarke) – Part Lot 20, Concession 9, in the Township of Puslinch

Resolution 2013-176: 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 **51/13** being a by-law to Amend the Zoning By-Law (Andrea Clarke)- Part Lot 20, Concession 9, in the Township of Puslinch;

CARRIED

2. By-Law to Amend the Zoning By-Law (Rockway Holdings Ltd.) – Part Lot 1, Concession 4, in the Township of Puslinch

Resolution 2013-177: Moved by Councillor Stokley and
Seconded by Councillor Fielding

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

- By-Law **52/13** being a by-law to Amend the Zoning By-law (Rockway Holdings Ltd.) – Part Lot 1, Concession 4, in the Township of Puslinch;

CARRIED

3. By-Law to authorize the Mayor and Clerk to enter into an Agreement with the Guelph Community Health Centre for daycare services - Puslinch Community Centre – 23 Brock Road S.



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4. By-Law to authorize the Mayor and Clerk to enter into an Agreement with Whistle Stop Co-Operative Pre-School Inc. for daycare services – Puslinch Community Centre – 23 Brock Road S.

Resolution 2013-178: 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 **53/13** being a by-law to authorize the Mayor and Clerk to enter into an Agreement with the Guelph Community Health Centre for daycare services – Puslinch Community Centre – 23 Brock Road S.
- By-Law **54/13** being a by-law to authorize the Mayor and Clerk to enter into an Agreement with the Whistle Stop Co-Operative Pre-School Inc. for daycare services – Puslinch Community Centre – 23 Brock Road S.

CARRIED

5. Confirming By-Law.

Resolution 2013-179: Moved by Councillor Schmidt and
Seconded by Councillor Roth

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

- By-Law **55/13** being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 14th day of August, 2013.


CARRIED

16. **ADJOURNMENT:**


Resolution No. 2013-180: Moved by Councillor Roth and
Seconded by Councillor Schmidt

That Council hereby adjourns at 8:29 p.m.

CARRIED



Dennis Lever, Mayor



Karen Landry, CAO/Clerk