

TOWNSHIP OF WELLESLEY

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July 4, 2011

COUNCIL MEETING MINUTES

Present: Mayor, Ross Kelterborn,
Council – Shelley Wagner, Jim Olender, Herb Neher, Paul Hergott
Staff - Susan Duke, Executive Director Corporate/Clerk
- Will McLaughlin, Executive Director Operations
- Sarah Peck, Junior Planner

The regular meeting of the Township of Wellesley was held at the Council Chambers in Crosshill at 6:45 P.M. on July 4, 2011 with all members in attendance. The Council meeting opened with Susan Duke leading in prayer and Mayor Kelterborn was in the chair.

Minutes of the Previous Meeting:

174 Moved by: Shelley Wagner – Seconded by: Paul Hergott
That the minutes of the Regular Council Meeting of June 21, 2011 at the Crosshill Council Chambers be adopted as presented. Carried

Mayor Kelterborn emphasized the comment made by Mr. Peter Graham, Township Auditors regarding the preparation of a 5 to 7 year plan to build reserves.

Petitions: None

175 Moved by: Herb Neher – Seconded by: Jim Olender
That the Council meeting adjourn in order to hold a Public Meeting in the matter of Zoning By-law Amendment Application for 1666 Hutchison Rd., Wellesley Concession 3, Part Lot 12, Western Section, Township of Wellesley. Carried

PUBLIC MEETING: Zoning By-law Amendment Application
1666 Hutchison Rd., Wellesley
Concession 3, Part Lot 12, Western Section

PUBLIC NOTICE:

As required by the Planning Act, public notice for this meeting on July 4, 2011 was provided by posting a notice on the subject property on June 10, 2011; mailing public notifications to neighbouring properties within 120 m on June 9, 2011 and to applicable agencies on June 10, 2011; and posting the notification in the Elmira Independent on June 17, 2011.

Sarah Peck, Junior Planner brought forth the report by a power point presentation. See Attached Appendix “A”.

Mayor Kelterborn asked if Council had any questions.

Mayor Kelterborn questioned the MDS calculations and if they have a negative impact on the existing operation? Sarah Peck, Junior Planner responded the actual setback is greater than that required in the calculation.

Mayor Kelterborn asked if there are any persons in support of this application other than the applicant. No one came forward.

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Mayor Kelterborn asked if there are any persons opposed to this application. No one came forward.

Mayor Kelterborn asked if the applicant would like to speak to this application. Mr. Darryl Kuepfer came forward. Mr. Kuepfer indicated the increased area is required for the septic system and increased area for the church facilities.

- 176 Moved by: Shelley Wagner – Seconded by: Jim Olender
That the Public Meeting for Zoning By-law Amendment Application for 1666 Hutchison Rd., Wellesley Concession 3, Part Lot 12, Western Section, does now adjourn and the Regular Council Meeting resume. Carried

Delegations:

- 177 Moved by: Paul Hergott – Seconded by: Shelley Wagner

That the following be received as delegations:

- 1) Derek Snyder; Chuck Bender and Tony Jackson, Members of Nith River Wild Turkey Conservation Association re: Request for Sunday Gun Hunting By-law

Derek Snyder, President Nith River Wild Turkey Conservation

Mr. Snyder provided Council with a presentation by the Ontario Federation of Anglers and Hunters (OFAH) on Sunday Gun Hunting. See attached Appendix “B”.

Mayor Kelterborn asked if written permission is required in Wilmot Township? Mr. Snyder responded permission is a good policy but it is not a law, further stating Sunday hunting should be like Sunday shopping, it should be up to the store owner, in this case, land owner.

Councillor Olender questioned the possible complaint that may come from a person who has not given permission but still have people hunting on their property? Mr. Snyder responded that would be a trespass issue not a hunting issue.

Susan Duke, Executive Director Corporate/Clerk indicated that one complaint has been received in the Administration Office over the abundance of turkeys and the impact on crops.

Councillor Neher stated, hunters will be out no matter whether hunting is permitted or not, further stating the Township of Wellesley is a religious community.

Mr. Chuck Bender, associated with the Nith River Wild Turkey Conservation indicated that Mennonites are hunters too and that some Mennonites do hunt on Sundays. Mayor Kelterborn stated the Ministry of Agriculture has given permission to a local farmer to shoot geese and leave them lye on the ground! Mr. Snyder said that is correct.

Mr. Tony Jackson, associated with the Nith River Wild Turkey Conservation who resides in Stratford, provided Council with statistics regarding the increasing problem of coyotes, further stating hunting is a cost effective wildlife management tool.

Mayor Kelterborn questioned if the hunters have approached the Province to legislate Sunday hunting? Mr. Jackson responded.

Councillor Neher requested input from the community regarding Sunday hunting.

Councillor Hergott requested President of the Greenwood Road & Gun Club, Dale Hartung, to speak to this issue.

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Mr. Hartung stated 35% of members live in Wellesley and suggested if more public information is required, the Greenwood Road & Gun Club could cover the advertising. Councillor Olender suggested gathering information and public opinion before any decisions are made.

Committee of the Whole:

- A Moved by: Herb Neher – Seconded by: Paul Hergott
That the Council rise and go into a Committee of the Whole to receive reports and recommendations. Carried

Planning & Development:

Chairperson: Jim Olender

- P. & D. 85/11 – Planning & Development Committee Minutes from the meeting held June 28th, 2011
- 178 Moved by: Paul Hergott – Seconded by: Shelley Wagner
That the minutes of the Planning & Development Committee meeting held on June 28, 2011 at the Crosshill Council Chamber, be adopted as presented. Carried
- P. & D. 86/11 – Consent Application B8/11 re: 48 Pinewood Lane, Paradise Lake Residential
- 179 Moved by: Shelley Wagner – Seconded by: Paul Hergott
That the Council of the Township of Wellesley accept the comments in this report;
AND FURTHER that the Township of Wellesley recommend that the Committee of Adjustment defer consideration of this application pending this clarification that the Owner/Applicant has established the ownership of the portion of the *Travelled Way* which directly abuts the lands associated with the subject application to the satisfaction of the Township of Wellesley;
AND FURTHER that should the above recommendation be satisfied by the Applicant prior to the scheduled Committee of Adjustments meeting, the Council of the Township of Wellesley recommend that the Committee of Adjustment approve the application subject to the following conditions:
1. That the Owner/Applicant pay all of the Township's planning, engineering and administrative costs and expenses associated with this Application prior to the certification of the deeds, and further,
 2. That the Owner/Applicant pay the Township any outstanding taxes, in full, for the Subject Property, prior to the certification of the deeds, and further,
 3. That Section 50(3) of the *Planning Act*, R.S.O. 1990 applies and that the proposed severed parcel merge in title with the adjacent property known municipally as 46 Pinewood Lane, prior to the certification of the deeds, and further,
 4. That the Owner/Applicant provide any necessary servicing or drainage easements free and clear of any encumbrances which may be required by the Township prior to the certification of the deeds, and further,

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5. That the Owner/Applicant provide an engineered diagram(s) of the current and proposed locations of the septic system servicing the properties at 48 Pinewood Lane and 46 Pinewood Lane to the satisfaction of the Township Chief Building Official, prior to the certification of the deeds.
6. That the Owner/Applicant arrange for a new survey of the subject lands to be completed by a qualified professional and submit one (1) copy to the Secretary of Committee of Adjustment prior to certification of the deeds, and further,
7. That the Owner/Applicant provide the Township with a right-of-way free and clear of any encumbrances over the *Travelled Way* as it applies to all land in this application.
8. That pursuant to Section 53(41) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, the approval granted herein shall lapse one year from the date of approval if the conditions mentioned herein are not completed satisfactorily, and further,
9. That the approval recommended herein shall be subject to all of the provisions of the *Planning Act* regarding the satisfaction of conditions and the transfer of the land in title. Carried

180 P. & D. 87/11 – Consent Application B9/11 re: 1300 Queen’s Bush Rd., Wellesley
Moved by: Ross Kelterborn – Seconded by: Herb Neher

That the Council of the Township of Wellesley accept the comments in this report;
AND FURTHER THAT this report be forwarded to the Committee of Adjustment for their consideration in the matter of application B9/11;
AND FURTHER THAT the Council of the Township of Wellesley recommend that the Committee of Adjustment approve the application subject to the following conditions:

1. That the Owner pay the Township’s out-of-pocket planning, engineering and administrative costs and expenses associated with this application, prior to the certification of the deeds;
2. That the Owner pay the Township any outstanding taxes, in full, for the entire property, prior to the certification of the deeds;
3. That the Owner pay the Township of Wellesley a cash-in-lieu Parkland dedication in the amount of \$1,750.00 per lot, prior to the certification of the deeds.
4. That the Owner contribute to street lighting costs in the amount of \$350.00 per residential unit that is being created, prior to the certification of the deeds;
5. That the Owner provide any necessary services or drainage easements free and clear of any encumbrances which may be required by the Township prior to the certification of the deeds;
6. That the Owner provide a lot grading and drainage plan to the satisfaction of the Township of Wellesley for the entire property including any retained lands, prior to the certification of the deeds;
7. That the Owner make satisfactory arrangements with Waterloo North Hydro for hydro service of the entire property, prior to the certification of the deeds;
8. That the Owner enter into a Servicing Agreement with the Region of Waterloo for the Property, prior to the certification of the deeds;
9. That the Owner obtain any required entrance permits from the Region of Waterloo for the entire property including any retained lands, prior to the certification of the deeds;

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10. That pursuant to Section 53(41) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, the applicant shall fulfill the above-noted conditions within one year of the date of giving notice of this decision.
11. Pursuant to Section 53(43) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, the decision of this Committee shall lapse two years from the date of approval.
12. That the approval recommended herein shall be subject to all of the provisions of the Planning Act regarding the satisfaction of conditions and the transfer of the land in title. Carried

P. & D. 88/11 – Minor Variance Application A5/11 re: 1300 Queen’s Bush Rd.,
Wellesley

- 181 Moved by: Herb Neher – Seconded by: Paul Hergott
That the Council of the Township of Wellesley accept the comments in this report and forward this report to the Committee of Adjustment for their consideration in the matter of Application A5/11. Carried

P. & D. 89/11 – Zoning By-law Amendment 02/11 re: 1666 Hutchison Rd., Wellesley

- 182 Moved by: Ross Kelterborn – Seconded by: Herb Neher
That the Council of the Township of Wellesley accept this planning report and comments; and further, that the Council of the Township of Wellesley complete the first, second and third readings of Draft By-law as submitted this 4th day of July, 2011.
Carried

Road & Bridge; Property & Fire:

Chairperson: Paul Hergott

R. & B.; P. & F. 60/11 – Road & Bridge; Property & Fire Committee Minutes from the meeting held June 28th, 2011

- 183 Moved by: Jim Olender – Seconded by: Ross Kelterborn
That the minutes of the Road & Bridge; Property & Fire Committee meeting held on June 28, 2011 at the Crosshill Council Chamber be adopted as presented. Carried

R. & B.; P. & F.61/11 – Township of Perth East Boundary Road Agreement

- 184 Moved by: Jim Olender – Seconded by: Herb Neher
That the Council of the Township of Wellesley authorize the Mayor and Executive Director Corporate/Clerk to sign the updated Boundary Road Agreement with the Township of Perth East (Part Road 116); and further, that this agreement will remain in force and effect until the 31st day of December 2021. Carried

R. & B.; P. & F. 62/11 – Lot Grading Release for Lot 16 RP 1667 St. Clements
Industrial Subdivision

- 185 Moved by: Shelley Wagner – Seconded by: Herb Neher
That the Council of the Township of Wellesley approve a Lot Grading Release for Lot 16 RP1667 in the St. Clements Industrial Subdivision. Carried

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- R. & B.; P. & F. 63/11 – Lot Grading Release for Lot 66 & Block D RP1454 Wellesley Village Estates
- 186 Moved by: Jim Olender – Seconded by: Shelley Wagner
That the Council of the Township of Wellesley approve the Lot Grading Releases for Lot 66, Lot 71 & Block D RP1454 in the Wellesley Village Estates Subdivision. Carried

R. & B.; P. & F. 64/11 – Conservation Services – 2010 Annual Report – For information

Councillor Neher wants to proceed with public consultations and would like to see information from 2006-2008 as well any relevant current information. Councillor Olender stated he has no problem with hunting or Sunday hunting but wants to consider what is right for the community. Council discussed putting information on the Township website and advertising in the local newspapers to solicit comments. Councillor Wagner stated she is not a supporter of hunting, further stating she does not know if it is appropriate in this community to have Sunday hunting. Councilors are to get information and return it in September.

Administration/Finance:

Chairperson: Ross Kelterborn

- Admin./Finance 57/11 – Administration & Finance Committee Minutes from the meeting held June 28th, 2011
- 187 Moved by: Paul Hergott – Seconded by: Jim Olender
That the minutes of the Administration & Finance Committee meeting held on June 28, 2011 at the Crosshill Council Chamber be adopted as presented. Carried

- Admin./Finance 58/11 – Extension of Auditory Term
- 188 Moved by: Herb Neher – Seconded by: Paul Hergott
That the Council for the Township of Wellesley appoint Graham Mathew as the Township Auditors for an auditory term of five years, 2011 and 2015. Carried

Admin./Finance 59/11 – Region of Waterloo re: Council Info – For information

Recreation: No report

Chairperson: Shelley Wagner

Personnel:

Chairperson: Herb Neher

Personnel 22/11 – Staff Changes – Finance Department – For information

Personnel 23/11 – Staff Changes – Building Department – For information

Personnel 24/11 – Staff Changes – Community Services – For information

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Personnel 25/11 – See Caucus Agenda

Personnel 26/11 – See Caucus Agenda

Personnel 27/11 - Recruitment of Volunteer Firefighter – Linwood Station – For information

Personnel 28/11 - Recruitment of Volunteer Firefighter – St. Clements Station – For information

Personnel 29/11 - Recruitment of Volunteer Firefighter – St. Clements Station – For Information

Will McLaughlin, Executive Director Operations commented Mr. Charlie Koebel was the only applicant for the Senior Leadhand position. Mr. Kim Beacom was selected from 3 applicants for Leadhand. Mr. Corey Engler will move to Operator 3 and advertising for another Operator closes on Friday July 8th, 2011.

Mayor Kelterborn questioned the probation period for both the Receptionist and the Building Permit Coordinator positions.

B Moved by: Shelley Wagner - Seconded by: Herb Neher
That the Committee of the Whole rise and Council resume and report. Carried

C Moved by: Jim Olender - Seconded by: Shelley Wagner
That the report of the Committee of the Whole be adopted as set forth in the motions and actions detailed above. Carried

New Business:

Mayor Kelterborn has asked staff to prepare a plan to build reserves over the next 5 to 7 years. This plan is to be returned to Council early fall 2011. Diane Lorbetski, Director of Administration & Finance to prepare the plan. A strategic plan going forward for each of the Township departments (Building; Planning; Roads; Finance; and Clerks).

Time lines of this plan were discussed.

Council discussed the Human Resource Committee.

Will McLaughlin provided Council with an update of the Splashpark.

Councillor Olender stated the Wilmot Resource Centre has paid to have the indoor skate park manned.

Accounts: no accounts

Unfinished Business: None

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Caucus:

- 189 Moved by: Paul Hergott – Seconded by: Shelley Wagner
That this portion of the meeting be closed to the public in order to consider the following:
X Section 239(2)(b) of the Municipal Act – personal matters about an identifiable individual including municipal or local board employees. Carried
- 190 Moved by: Paul Hergott – Seconded by: Shelley Wagner
That the Council meeting resume and report. Carried

Councillor Wagner requested detailed information and results from Evelyn Hahn, Animal Control Officer concerning kennels, concerns/issues.

By-Laws:

- D Moved by: Shelley Wagner - Seconded by: Jim Olender
By-Law Nos.
28/2011 – By-law to Proclaim a Civic Holiday
29/2011 – By-law to Regulate the Sale and Use of Fireworks and Firecrackers
30/2011 – By-law to Amend By-law Number 28/2006 Being a Zoning By-law (Hafemann)
31/2011 – Confirming be read a first and second time. Carried
- E Moved by: Paul Hergott - Seconded by: Herb Neher
That By-Law No. 28/2011; 29/2011; 30/2011 and 31/2011 pass first and second readings. Carried
- F Moved by: Paul Hergott - Seconded by: Herb Neher
That By-Law No. 28/2011; 29/2011; 30/2011 and 31/2011 be read a third time and passed and the Mayor and Clerk be authorized to sign and seal the By-Laws under the Corporate Seal. Carried

Other Reports:

<u>Next Meetings:</u> Regular Council Meeting	September 6, 2011	6:45pm
Regular Council Meeting	September 20, 2011	6:45pm
Regular Committee Meeting	September 27, 2011	6:45pm

- 191 On a motion by Paul Hergott, the Council meeting adjourned.