

**TOWNSHIP OF WOOLWICH
COMMITTEE OF THE WHOLE MINUTES
March 22, 2011**

The Committee of the Whole met on Closed Session at 4:30 p.m. in the Councillors' Office and in Regular Session at 6:00 p.m. in Council Chambers on the above date. Present: Mayor Cowan and Councillors *Bauman, Bryant, Herteis and Poffenroth. Mayor Cowan chaired the meeting during budget deliberations. Councillor Poffenroth chaired the regular Committee of the Whole meeting.

CLOSED SESSION (4:30 p.m. – 5:30 p.m.)

MOVED BY Councillor Bryant

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich convenes in closed session in accordance with Section 239 (1) of the Municipal Act, 2001, as amended with respect to a matter pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

...CARRIED

MOVED BY Councillor Bryant

SECONDED BY Councillor Herteis

THAT Council reconvenes in Regular Session.

...CARRIED

*Mayor Cowan entered the Chair.

CONTINUATION OF DRAFT BUDGET 2011 (5:30 p.m. – 6:00 p.m.)

Parks and Recreation Operating Budget

Larry Devitt, Director of Recreation and Facilities, provided the following comments in response to questions from Council:

- Issues with financial reporting are being resolved, however there may still be some discrepancies on individual budget lines
- Due to the program shift at the Woolwich Community Centre in St. Jacobs, staff is considering moving toward vending machines in place of a concession stand.
- Higher profit items at the concessions are items such as fries and popcorn. Staff found that healthier options were not selling and were discontinued.
- Wages for staff are spread over four budget areas. There have been discrepancies on how those monies have been allocated.
- Some hours charged to Part-Time Salaries should be accrued to other accounts.
- The 2011 amount for concession salaries is representative of the actual numbers and programs scheduled for the facilities.

- Mileage is paid to any staff travelling to meetings out of town or to training sessions.
- Facility attendants are given a clothing allowance through the Union agreement.
- Both aquatic and concession staff are given clothing (i.e. T-Shirts) for consistency and identification.
- The budget for uniforms also includes any protective equipment required.
- External repairs cover equipment that needs to be sent out for repair, particularly the ice resurfacers.
- The amount for Repair and Maintenance is representative of higher quality equipment used in the Woolwich Memorial Centre (WMC), and staff did not anticipate the replacement period of this equipment.
- An energy audit has not been completed on the WMC; however it is something that has been discussed.

Mayor Cowan advised that he has heard feedback from constituents that the Woolwich Memorial Centre is a great facility and should be used for more than hockey and swimming. Mayor Cowan asked that staff look at other uses of this facility and suggested a Spring Woolwich Home & Garden Show and perhaps a venue for music. Mr. Devitt advised that various program ideas have been reviewed and will continue to be reviewed.

In response to a question raised by Councillor Poffenroth, Mr. Devitt advised that he is responsible for the apportioning of costs, however, he is currently not satisfied that all numbers are in the correct G/L accounts, specifically around wages and revenues.

Council members delayed any further discussion of the Draft 2011 Budget until the March 29th Council meeting.

*Mayor Cowan vacated the chair. Councillor Poffenroth entered the chair.

*Councillor Bauman entered the meeting.

DISCLOSURES OF PECUNIARY INTEREST

None

RESOLUTIONS TO COME FORWARD FROM CLOSED SESSION

None

DELEGATIONS

Report C17-2011: Municipal Drain Project 1-2010(Geisel), Presentation of Preliminary Report

Deputy Clerk, Val Hummel, introduced the report and presented a map of the subject area. Ms. Hummel outlined proposed changes to the recommendation included in the

report. She noted that five options for drainage were explored by the Engineer but staff is recommending that a sixth option be looked at which would involve strengthening and sealing the existing private tile at 6600 Line 86 owned by Don Hoffer.

David Johnson, Johnson Engineering (Project Engineer)

Mr. Johnson summarized the drainage situation in the area of the property owned by Mr. Geisel and summarized the contents of the report. Mr. Johnson advised that a petition signed by a landowner was submitted to the Township to initiate this project. Mr. Johnson reviewed and outlined the proposed routes examined in the preliminary report to solve the drainage issue.

In response to an inquiry by Councillor Bauman, Mr. Johnson outlined the proposal for various diameters of drains and advised that further detail will be built into the Engineer's Final Report. Mr. Johnson provided justification on the drain diameters he has proposed including the ability of his design to handle a 100-Year Storm.

Mayor Cowan asked for clarification on what the pond on the property owned by Mr. Hoffer at 6600 Line 86 is contaminated with. Mr. Johnson advised that the test results he viewed that were supplied by Mr. Hoffer noted the presence of nitrates and phosphates. He acknowledged that these contaminants would have a negative impact on the fish in the pond if the test results are accurate.

Councillor Bryant asked for clarification on whether an easement would be required to install a municipal drain across various properties, to which Mr. Johnson advised that no easement would be required, and gave details of the Provincial *Drainage Act*.

Councillor Bauman questioned if it is a permissible practice to connect farm drainage into a municipal culvert, as this is currently the case with the Geisel property. Mr. Johnson advised that the Municipal authority can control connections. In this case, the authority is the Region of Waterloo.

In response to an inquiry by Councillor Poffenroth, Mr. Johnson confirmed that the current concrete drain located on the Hoffer property is a private drain. Mr. Johnson then explained the municipal drain process for Council.

Through discussion on which property owners would be responsible for the costs involved, Mr. Johnson noted that a 1/3 grant is available for agricultural properties from the Ontario Ministry of Agriculture, Food and Rural Affairs.

Ken Geisel (6591 Line 86, 1142 Northfield Drive North):

Ken Geisel addressed Council and noted that the outlet currently used for drainage from his property has been blocked which resulted in water flooding into his cellar over the past weekend. It caused damage to his home and his furnace did not work for several days as a result. He noted that he has not previously had issues with flooding in his

basement prior to this drain connection being sealed. Mr. Geisel provided Council with his own proposal for a drainage plan which involved laying a smaller diameter tile adjacent to the existing tile on the Hoffer lands.

Responding to a question raised by Councillor Poffenroth, Mr. Geisel said he was not sure of the exact date that the drain was sealed off but he took pictures of the event and will look in his pictures for a date.

Larry Hoffer (representing Don Hoffer, owner of 6600 Line 86)

Larry Hoffer addressed Council and noted that Mr. Geisel is now running an 8" diameter pipe to the same area and getting more water drainage, which likely attributed to the flooding problem. Mr. Hoffer advised that if this municipal drain is installed he believes there will be flooding issues over the road and raised concerns for drainage with an adjacent landowner.

Mayor Cowan asked Mr. Hoffer if he was aware of who sealed the drain which Mr. Geisel believes caused flooding problems. Mr. Hoffer provided Council with background information on the drain, and advised that he was not aware of who sealed the drain. CAO David Brenneman noted that staff could investigate through the Region of Waterloo if they took those actions, as both Line 86 and Northfield Drive are Regional Roads.

Councillor Bauman asked if the Hoffer family was in agreement with staff's proposed sixth option which would involve sealing and strengthening the current cement pipe on the property at 6600 Line 86. Mr. Hoffer explained the current drainage situation on the property and advised that if that pipe was opened it could cause the pond to overflow.

Robert Shuh

Mr. Shuh, an owner of land that could be impacted by the municipal drain, addressed Council and advised that he recognizes that Mr. Geisel has a drainage problem that needs to be improved. He raised concerns with ambiguities in the report regarding who would be responsible to pay for the work. Mr. Shuh advised that the Preliminary Report identifies the main contributors of Option 1 being recommended would be Mr. Hoffer, Mr. Geisel and the Region, and that there would be some costs assessed to other downstream property owners. Those property owners are concerned because they feel they will be assessed costs of the proposed municipal drain which will have no benefit to their properties. Mr. Shuh advised that these property owners have already tiled their own properties with their own money and have not asked neighbours, the Region, the Township or anyone else to assist with their drainage issues. Mr. Shuh advised that he believes that Mr. Geisel and the Region are the sole beneficiaries of the requested drainage works and that all costs should be borne entirely by those two parties.

Councillor Bauman asked that an explanation of who the contributing land owners are, and who the benefitting land owners are, should be included in the Engineer's Final Report.

There was discussion about the legality of a drain connection that was drilled under Northfield Drive (north of Line 86) in 2007 to connect the two parcels owned by Mr. Geisel. David Johnson advised that the work was done under a Region-approved work permit.

In response to an inquiry by Mr. Johnson, Councillor Poffenroth asked if anyone present at the meeting would object to the blocked drain being opened. Representatives from the Hoffer family stood to object, and stated they believe the drainage problems have resulted in pollution to the pond on their property.

Mayor Cowan stated that the Region should be approached by staff to open the drain if the Region was the party that blocked it.

Councillor Bryant referred to the 16 acre parcel of land owned by Mr. Geisel at 1142 Northfield Drive and asked if the land could be drained across Line 86 on the east side of Northfield Drive so that there would be less stress of all of the water draining to the Hoffer property. Mr. Johnson advised that the roadside ditching would be insufficient for this option.

Mayor Cowan questioned why staff is proposing the sixth option if the Region supports Option 1 of the Preliminary Report involving laying a new drain across the Hoffer lands. Ms. Hummel advised that Option 1 would result in most of the project costs being assessed to Mr. Hoffer, Mr. Geisel and the Region; staff anticipates that Mr. Hoffer will appeal Option 1 and any costs assessed to him and that the sixth option might be more agreeable to him.

Council reviewed the staff recommendation and made changes suggested by the Deputy Clerk. Those changes are shown in bold text.

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

WHEREAS on August 10, 2010 the Council of the Township of Woolwich accepted a Petition for Drainage Works by Owners for a new municipal drain in the vicinity of Line 86 and Northfield Drive North submitted by Ken Geisel and now identified as Municipal Drain Project 1-2010;

AND WHEREAS Council has given to any person who signed the petition an opportunity to withdraw from it by putting a withdrawal in writing, signing it and filing it with the Clerk, and to any person present who owns lands in the area requiring drainage and has not signed the petition an opportunity to do so;

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

THAT Council receives the Engineer's Preliminary Report attached as Schedule "A" to Report C17-2011 and dated January 31, 2011, prepared by David Johnson of Johnson Engineering Consultants;

AND FURTHER THAT Council strongly suggests the Engineer investigate a sixth option that would involve the strengthening and sealing of the existing 27-inch diameter tile on property owned by Don Hoffer at 6600 Line 86;

AND FURTHER THAT Council strongly suggests the Engineer investigate an extension of the municipal drain limits to the North/East to include the connection between 1142 Northfield Drive and 6591 Line 86 passing Northfield Drive (north of Line 86) and to determine if the connection was installed properly and with permission from the Region of Waterloo;

AND FURTHER THAT Council strongly suggests the Engineer investigate the request of the Region of Waterloo to extend the proposed drain south to a natural watercourse south of Hill Street;

AND FURTHER THAT Council requests the Engineer to report back with the information in the Final Report.

...CARRIED

PLANNING PUBLIC MEETING (7:30 p.m.)

Director of Council and Information Services / Clerk, Christine Broughton read the following introduction:

This meeting constitutes the formal public meeting required under Section 34 of the Planning Act. The meeting is for information purposes only and no decisions will be made at this time. The applications 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 sign up 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 Township Clerk.

Zoning Amendment

If a person or public body that files an appeal of a decision of the Council of the Township of Woolwich in respect of the proposed zoning by-laws does not make oral submissions at a public meeting or make written submissions to the Council of the Township of Woolwich before the proposed zoning by-law amendments are passed:

- a) *the person or public body is not entitled to appeal the decision of the Township of Woolwich to the Ontario Municipal Board; and*
- b) *the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.*

Councillor Poffenroth declared the public meeting to be open and asked staff to review the first report.

E25-2011: Information Report, Zone Change 3/2011 (Ryan Mcall-Stroh)

John Scarfone, Manager of Planning summarized the report and noted that the application proposes to create two residential lots and to sever out the remaining farm lands within the Rural Area. Mr. Scarfone then outlined comments received by the Grand River Conservation Authority (GRCA) and Waterloo North Hydro (WNH).

Greg Romanick, Stantec Consulting Ltd.

Mr. Romanick advised that he was present to represent the applicant. They have maintained an open dialogue with both Township and Regional staff throughout this process. Mr. Romanick then outlined the process that the applicant has taken which included hosting an information meeting in the applicant's home for the area neighbours to hear their concerns.

Ms. Tombe, owner of Adjacent Farm

Ms. Tombe advised that she attended the information meeting hosted by the applicant and raised her concerns there with respect to wet areas as a result of the development on the lands. She is concerned there may be more wet spots if these lots are developed.

No one else in the audience indicated a desire to speak so Councillor Poffenroth declared this portion of the public meeting to be closed and asked staff to present the next application.

E27-2011: Information Report, Zone Change 4/2011 (Dragoslav Kovacevic)

Dan Kennaley, Director of Engineering and Planning Services, presented the report and explained the purpose of the application. Mr. Kennaley noted that although the proposed lots are to be on full municipal services, no extension of these services is required. He noted that comments have been received from the GRCA stating no objection, and staff will prepare a recommendation for Council's consideration.

In response to an inquiry by Councillor Bryant, Mr. Kennaley confirmed that the subject properties back onto the school site, not the park. Councillor Bauman asked if there is

capacity within the Empire project to handle these services. Mr. Kennaley advised that there is additional servicing capacity for Council's consideration in Breslau and if Council does support the application then Council can make that allocation. Mr. Kennaley also confirmed that the issue with water tables in this area will be addressed in the recommendation report that will come back to Council for consideration.

Councillor Bryant asked if the intention was to remove the existing house, and also noted that it appears to be on two lots. Mr. Kennaley advised that he was unsure of the applicant's intentions.

Milan Kovacevic

Mr. Kovacevic, the applicant, advised that the area that appears to encroach on another lot is a single-detached garage, connected to the house with a breezeway and the garage will be torn down. In response to an inquiry by Councillor Bryant, Mr. Kovacevic advised that the setback from the house to the lot line will be 3.5 metres. He also confirmed that the house is not currently on municipal services.

No one else in the audience indicated a desire to speak to this matter so Councillor Poffenroth declared the public meeting to be closed.

DELEGATIONS CONTINUED

Report C19-2011: Municipal Drain Project 2-2010 (Weber-Brubacher Drain Maintenance and Repair) Presentation of Final Engineer's Report

Deputy Clerk, Val Hummel, introduced the report and presented a map of the subject area. She noted that the previous application was for a new municipal drain, but this application is for the repair of an existing municipal drain.

David Johnson, Johnson Engineering (Project Engineer)

Mr. Johnson summarized the report by referring to a map of the area. Mr. Johnson outlined the work proposed to be done, and the background of the work. Mr., Johnson advised that the residential properties in this area would not receive the 1/3 grant previously referred to, as this is only applicable to Agricultural properties.

Ezra Brubacher, Applicant:

Mr. Brubacher was present but did not wish to speak.

Steve Ramage, Opposed to Assessment:

Mr. Ramage addressed Council and advised that he is one of the property owners to be assessed costs. He stated he has questions as to why the benefit charge is so high for his property. Mr. Ramage noted that he believes that most of the water coming through

the tile is coming from the agriculture property on the east side of the road. He raised concerns with the proposed destruction of some mature trees on his property and the loss of use of his property while the work is being done. He stated he works shifts and the noise of the heavy equipment will disturb him.

Darren Goodreau, Opposed to Assessment:

Darren Goodreau of Katherine Street South addressed Council and stated he is one of the property owners to be assessed costs. He inquired about the formula that is used to determine who is assessed costs of the project. Mr. Goodreau expressed concern about the cost and about damage to his property including the destruction of mature trees.

Mayor Cowan asked for explanation on how this work will benefit the properties of Mr. Ramage and Mr. Goodreau. Mr. Johnson explained that there is no set formula for development of the assessment schedule. He stated that, in his opinion, the Ramage and Goodreau properties will benefit because there will be more water passing underground and less on the surface. He advised that currently under the *Drainage Act*, the lands benefitting a municipal drain have an obligation to support the work happening with the drain.

Councillor Bauman raised concerns with understanding assessment schedules under the *Drainage Act*, and asked for clarification on the next steps if property owners disagree. Mr. Johnson outlined the process a property owner would take, including appealing to the Court of Revision and the Provincial Drainage Tribunal.

Mayor Cowan advised he is not in favor of passing this resolution at this point until further information is provided on how the Engineer came up with the apportionment of costs.

In response to an inquiry from Councillor Bauman, Mr. Johnson confirmed that if the pipe on the Ramage property was maintained at a diameter of 15 inches then there would be no special assessment benefit charged to Mr. Ramage. Mr. Johnson also confirmed that all damages would be corrected by the contractor.

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

WHEREAS on February 19, 2010 the Township of Woolwich received a "*Request for Repair and Improvement*" from Ezra Brubacher of 53 Katherine Street South in Winterbourne for repair to the Weber-Brubacher Municipal Drain;

AND WHEREAS Council accepted the "*Request for Repair and Improvement*" and appointed Johnson Engineering Consultants on August 10, 2010 as the engineer responsible for the project which is now identified as Municipal Drain Project 2-2010;

AND WHEREAS Council has given to any person who signed the petition an opportunity to withdraw from it by putting a withdrawal in writing, signing it and filing it with the Clerk, and to any person present who owns lands in the area requiring drainage and has not signed the petition an opportunity to do so.

NOW THERE THE COUNCIL OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

THAT Council receives the Engineer's Final Report attached as Schedule "A" to Report C19-2011 and dated January 31, 2011, prepared by David Johnson of Johnson Engineering Consultants for Municipal Drain Project 2-2010;

AND FURTHER THAT Council approves the Final Report and directs staff to bring a Provisional By-law forward to the March 29, 2011 meeting for first and second reading;

AND FURTHER THAT Council sits as the Court of Revision at the April 12, 2011 Committee of the Whole meeting to hear from any landowners who wish to appeal their drainage assessments outlined in the Assessment Schedule attached to the Engineer's Final Report.

...MOTION FAILED

Deputy Clerk Hummel noted that Council needs to take some form of action on the request for repairs to the drain. She recommends that staff bring back the information requested to the April 12th Committee of the Whole.

MOVED Councillor Bauman

SECONDED Councillor Bryant

THAT the Council of the Township of Woolwich directs the Project Engineer to report back to the April 12, 2011 Committee of the Whole meeting with options for Municipal Drain Project 2-2010 involving a request from Ezra Brubacher of 53 Winterbourne Street South in Winterbourne for the repair of the Weber-Brubacher Municipal Drain;

AND FURTHER THAT the Engineer respond to the concerns of Mr. Ramage and Mr. Goodreau as expressed at the March 22, 2011 Committee of the Whole meeting.

...CARRIED

Andrew Grunda, Watson & Associates Re: Parks and Recreation User Fees Review

Larry Devitt, Director of Recreation and Facilities, introduced the User Fee Review and provided background on the process. He proposed that the Recreation and Facilities section of the Fees & Charges By-law be deferred until the Committee of the Whole meeting of April 12th to allow for user groups to include their comments on the outcome of the User Fee Review.

Andrew Grunda of Watson & Associates presented the "Parks and Recreation User Fees Review" to Council. Mr. Grunda outlined the process and methodology that was

used when completing the review. He outlined the current percentage of cost recovery being obtained and provided suggestions on increases the percentages.

Councillor Herteis commented that these proposed changes need to be reviewed. She said she believes that Council and staff need to figure out how to get more people into the facility and get them coming back before asking for more money. Mr. Grunda agreed with the comments but noted the first step is to identify what are the costs and how readily the Township is recovering the costs. He noted the reality of needing to carefully consider the sensitivity the user has to fee increases.

Mayor Cowan said he did not want to direct staff to circulate the report to user groups until Council has made a decision on how to proceed in regards to user fees.

MOVED BY Mayor Cowan

SECONDED BY Councillor Bryant

THAT the Council of the Township of Woolwich receives the Watson & Associates User Fees Review Report dated March 3, 2011.

...CARRIED

Report E24-2011: Lunor Development – Barnswallow Drive & Fire Hall Issues

John Scarfone, Manager of Planning, presented the report and provided Council with background information on the application. Mr. Scarfone provided details on the proposed Lunor Drive extension, the proposed fire hall and the financial implications for these proposals.

Council received and reviewed a letter of concern from Mr. and Mrs. Klinck who own a lot adjacent to the proposed Barnswallow Drive extension.

In response to a question raised by Councillor Herteis, Mr. Scarfone reported that the proposed extension of Barnswallow Drive has been identified through the Official Plan that highlighted the need for the extension to accommodate any development proposed in that area. He also advised that the driveway of the Klinck's house is located between the eastern property line and the house; therefore, he believes the road would be greater than 6 meters away from the house. Mr. Scarfone also advised that the design of the road will include noise reduction features, sidewalks, tree planting and other appropriate mitigation measures.

Mayor Cowan questioned if the Waterloo Regional Police Service has been approached to discuss the fire hall. Mr. Scarfone advised that the Fire Chief will pursue this if there is direction from Council to acquire these lands.

In response to concerns on the grading of the lands raised by Councillor Poffenroth, Mr. Scarfone advised that the developer has submitted the first round of engineering work, and fill will be required for this lot. He also noted that staff have seen preliminary grading plans, and in discussion with Public Works, Engineering staff and the Fire Chief,

it has been determined that the grading is suitable to put a fire hall comparable to the one in Floradale on the site. Mr. Scarfone confirmed that the developer will be responsible for the suitable grading of the land.

Thomas Hardacre, IBI Group

Mr. Hardacre addressed Council on behalf of developers of the Lunor project. Mr. Hardacre advised that the applicant has reviewed the staff report and submitted a letter in support of the report. Mr. Hardacre confirmed that the applicant supports the arrangement worked out with Township staff and consents to the recommendation included in the staff report.

Arlene MacFarlane, Hawk Ridge Homes

Arlene MacFarlane addressed Council on behalf of Hawk Ridge Homes and advised that Hawk Ridge Homes has appealed the application submitted by Lunor to the Ontario Municipal Board (OMB). Ms. MacFarlane provided information on density and parkland dedication requirements included in the Township's Official Plan. She outlined reasons as to why Hawk Ridge Homes believes that the Township is not receiving the suitable amount of parkland or cash-in-lieu that they are entitled to. Ms. MacFarlane asked for Council's support of the OMB appeal and stated she believes that the density requirements should not be approved until they receive the correct amount of parkland from the developers of the Lunor project.

Mayor Cowan asked staff to comment on Ms. MacFarlane's presentation. Mr. Scarfone advised that the Official Plan does allow flexibility in the requirements for parkland dedication required by the Township. Mr. Scarfone noted that there has been discussion with Parks and Recreation staff and it was agreed that the amount of parkland being dedicated is suitable for the Township's needs. Mr. Scarfone advised that both floodplain lands and trail systems can be considered in the 5% of land dedication required and staff felt that it would be a fair contribution to the Township.

Mr. Scarfone advised that there has not been a firm date scheduled for the OMB appeal as there has been a request from the developers of the Lunor project to have a hearing for a motion to dismiss the appeal.

Councillor Bauman stated he believes this information from Hawk Ridge Homes is interesting and he asked that staff be directed to report back to Council regarding the information received.

Dan Kennaley, Director of Engineering and Planning Services, advised that staff will provide information to Council, however, this is a legal matter and should be discussed in a closed session and a response to Ms. MacFarlane should be reviewed by legal counsel.

Mayor Cowan raised concerns that this development has been in the process for a long time and he does not wish to continue putting the application off as he believes that

Council is doing a disservice to not only the development, but the residents who encourage this development.

Mr. Kennaley said staff will present their comments to Council in a closed session on March 29th.

MOVED BY Councillor Bryant

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich postpones discussion of the recommendation outlined in Report E24-2011 for the Lunor Development until Council has discussed the concerns of Hawk Ridge Homes about parkland dedication with staff in Closed Session on March 29, 2011.

...CARRIED

STAFF REPORTS

A05-2011: Review of Terms of Reference for Chemtura Public Advisory Committee (CPAC)

CAO David Brenneman introduced the report and outlined the improvements recommended for the CPAC Terms of Reference. Councillor Bryant expressed support for adding representation from the Region of Waterloo and the Grand River Conservation Authority to CPAC meetings whenever possible. Councillor Bauman raised a concern that the work of CPAC has been interrupted through this process. He proposed an amendment to the Terms of Reference so that the term of the committee will extend six months past the end of the term of Council (until May 2015) to avoid this situation happening in the future.

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT Council hears the unregistered delegation of Alan Marshall.

...CARRIED

Alan Marshall

Mr. Marshall addressed Council and expressed support for the improvements to the CPAC Terms of Reference. He suggested that the mandate of CPAC should be expanded to address all environmental issues and concerns in Woolwich Township relevant to the restoration of drinking water by 2028. He said he feels that Chemtura is a large environmental issue but is not the only issue that should be monitored. Mr. Marshall also outlined the following additional suggestions:

- The number of people included on the CPAC executive should be relevant to the number of people on the Committee.
- The number of meetings a year should be increased from 6 meetings a year to 9 meetings a year.

- The minutes of all meetings should be distributed within two weeks of the meeting.
- The agenda of the meeting should be release one week prior to the meeting.
- Greater authority should be given to CPAC so the committee can deal with any party or individual that is not being direct and honest and responsive.

Mayor Cowan thanked the delegation for his suggestions and advised he believes that the suggestion of giving greater authority to CPAC has been covered in the Code of Conduct.

MOVED BY Councillor Bryant

SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich accepts the changes proposed in Report A05-2011 regarding the Chemtura Public Advisory Committee (CPAC) Terms of Reference and related process, with an extension to the term of CPAC to 6 months past the end of the Council term (to May 31st) to allow future new Councils an opportunity to become familiar with CPAC's mandate and to promote continuity for the committee.

...CARRIED

E17-2011: Drinking Water Systems Annual Summary Report

Dan Kennaley, Director of Engineering and Planning Services, introduced the report and provided information on the Ministry of Environment (MOE) requirements for water testing. Mr. Kennaley reviewed non-compliance incidents outlined in the report and advised that the Region of Waterloo is undertaking an Environmental Assessment in West Montrose to remedy the THM non-compliance occurrences. The Township will have representation on that project team.

Councillor Bauman asked for clarification that the Environmental Assessment in West Montrose will address the need to truck water into the system. Mr. Kennaley advised that the assessment is aimed at both the THM issue and at identifying additional sources of water.

Alan Marshall

Mr. Marshall advised that he believes that the Regional Annual Report should include monitoring of levels of Industrial and Common chemicals, particularly the following:

- Toluene
- Xylenes
- Ethyl Benzene
- NDMA
- Dioxins
- TCA (Trichloroethane)
- Styrene

Mr. Marshall referred to a Well Water Supply Report from 1989 that showed these chemicals were found in Elmira's water supply. In response to an inquiry by Mayor Cowan, Mr. Marshall advised that attributing sickness in residents to the water supply is difficult.

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT the Council of the Township of Woolwich receives for information, the Annual Summary Report as required by the *Safe Drinking Water Act, 2002*, Ontario Regulation O. Reg. 170/03 as amended.

...CARRIED

C16-2011: By-law to Create New Parking Restriction on Queensway Drive in St. Jacobs on North Side at St. Jacobs Public School

Christine Broughton, Director of Council and Information Services, introduced the report and presented photos showing parking concerns in this area. Ms. Broughton advised that Enforcement Staff have sent home maps to parents to help them identify the proper areas to park along with a letter outlining the concerns. Despite this effort, Ms. Broughton advised that the parents continue to ignore staff's education attempts.

Councillor Bauman advised that he has witnessed these safety concerns. Although the signs were changed without Council's direction, he is behind staff on that decision to ensure the safety of children.

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT the Council of the Township of Woolwich approves the draft By-law attached as Schedule "D" to Report C16-2011 to amend By-law #70-2006 to create a new parking prohibition on the west side of Queensway Drive in St. Jacobs, from a point measured from the south side of Hachborn Street West to a point approximately 20 metres north.

...CARRIED

CORRESPONDENCE

Ontario Municipal Board Case No. PL100969 – Memorandum of Oral Decision and Order of the Board (Safety-Kleen)

Mr. Kennaley advised that this document outlines the result of the decision of the Ontario Municipal Board (OMB). Mr. Kennaley commended Mr. Scarfone in the role he achieved in this settlement.

John Scarfone advised that the next steps in the Safety-Kleen application include reviewing the submission and preparing the agreement. The agreement and site plan will be reviewed to ensure implementation of the minutes of settlement, and when staff is satisfied then a report and site plan agreement will come forward to Council. Mr.

Scarfone advised that if Council approves the documents, then Council will be in a position to pass a Zoning By-law to implement the Official Plan.

Letter from Tom Kontra, Assistant Deputy Minister and Chief, Ministry of Community Safety and Correctional Services

The correspondence was a letter of congratulations to the Township of Woolwich for completing all of the mandatory emergency management activities required under the *Emergency Management and Civil Protection Act* for 2010. Council received the letter for information.

OTHER BUSINESS

Draft Budget 2010

Council postponed any further discussion on the Draft 2011 Budget to the March 29th Council meeting starting at 5:00 p.m. Mayor Cowan requested accurate numbers from Recreation and Facilities Services to aid the discussion.

OUTSTANDING ACTIVITY LIST, as of March 18, 2011

Councillor Poffenroth asked Council to add a review of the Township's life insurance policy for volunteer fire fighters to the list as he feels the current policy of \$100,000 is not adequate and should be reviewed. Members of Council were in agreement.

Ms. Broughton asked for confirmation from Council that they wish to review monthly financial statements from the Recreation and Facilities department. Council confirmed that they wish to see these on a monthly basis.

Mayor Cowan asked for clarification on the projected date for the RFP for WMC Fitness Centre. Larry Devitt, Director of Recreation and Facilities advised that a draft is in place, and will be brought forward shortly.

GREEN AND PINK ITEMS, as of March 18, 2011

None

PUBLIC NOTICE

None

NOTICE REGARDING CLOSED MEETINGS

The Council of the Township of Woolwich will meet on Tuesday March 29th in closed session at 4:30 p.m. in the Councillors' Office.

ADJOURNMENT (10:30 p.m.)

MOVED BY Councillor Bryant
SECONDED BY Councillor Herteis
THAT the meeting be adjourned.

...CARRIED

Submitted by,
Allan Poffenroth,
Chair

