

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**

**REGULAR MEETING OF COUNCIL**

**Monday, August 12, 2013**

**Following Public Meeting - 7:40 p.m.**

**Members Present:**

**Mayor: Raymond Tout  
Councillors: Sherry Burke  
Mark Goetz  
Dan Yake**

**Absent:**

**Councillor: Andy Lennox**

**Also Present:**

**Acting CAO/Treasurer: Michael Givens  
Deputy Clerk: Catherine More  
Executive Assistant: Cathy Conrad  
Business Economic Manager: Dale Small**

The meeting was held in the Municipal Office Council Chambers, Kenilworth.

A. **CALLING THE MEETING TO ORDER**

Mayor Tout called the meeting to order.

B. **O' CANADA**

C. **PASSING AND ACCEPTANCE OF AGENDA**

**Moved by: Councillor Goetz  
Seconded by: Councillor Burke**

*THAT the Agenda for the August 12, 2013 Regular Meeting of Council be accepted and passed.*

**Resolution Number: 1**

**Carried**

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D. **DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE  
THEREOF**

Councillor Burke declared a conflict of interest with Item 1, File No. B75/13, File No. B76/13 and File No. B77/13 under the heading of Other/New Business as Mr. and Mrs. Bowden are relatives.

E. **MINUTES**

1. Public Meeting, July 15, 2013
2. Regular Meeting of Council, July 15, 2013

**Moved by: Councillor Goetz**

**Seconded by: Councillor Burke**

*THAT the minutes of the Public Meeting and the Regular Meeting of Council held on July 15, 2013 be adopted as circulated.*

**Resolution Number: 2**

**Carried**

F. **BUSINESS ARISING FROM MINUTES**

None

G. **DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS**

1. Gord Trask, Owner of West ½ of Lot 11, Concession 10  
Re: West Luther Municipal Drain 63A Final Assessment  
(Garth Noecker, Drainage Superintendent was in attendance)

Mr. Trask appeared before Council to express his concerns regarding his assessed costs relating to West Luther Municipal Drain 63A. His final assessment was \$8,185.58. Mr. Trask is disputing the additional costs of \$5,294.17; which are a result of a Referee Hearing. The judge ordered these costs be included as a cost to the Drain; therefore increasing all assessments.

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G. **DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS**  
(continued)

Mr. Trask maintains that he was not notified of the hearings held by the Referee, or that he had 30 days to appeal the court decision. The GRCA, who was also assessed additional costs, missed the 30 day appeal deadline but took their concerns to the courts.

Garth Noecker, Drainage Supt. provided some historic details of the dispute. He confirmed that the additional costs are a result of the GRCA appeal to the courts.

Mr. Trask is requesting that his property be reassessed; however, he was informed that it would be necessary to file an appeal to the courts on the basis that he was not informed of the hearing. Mayor Tout informed Mr. Trask that the municipality could not assist financially and that he would have to proceed through the courts, which could be very costly.

Mr Trask will consider his options.

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS**

1. Wellington North Fire Service
  - Arthur Station
    - July 2013 Report
    - July 2013 Fire Prevention Officer's Report
  - Mount Forest Station
    - July 2013 Report
    - July 2013 Fire Prevention Officer's Report

**Moved by: Councillor Goetz**

**Seconded by: Councillor Burke**

*THAT the Council of the Corporation of the Township of Wellington North receive the Wellington North Fire Service July 2013 Fire Reports and the July 2013 Fire Prevention Officer's Reports for the Arthur and Mount Forest Fire Stations.*

**Resolution Number: 3**

**Carried**

2. Economic Development Committee
  - Minutes, July 17, 2013

**Moved by: Councillor Burke**

**Seconded by: Councillor Goetz**

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Economic Development Committee meeting held on July 17, 2013.*

**Resolution Number: 4**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

2. Economic Development Committee

- Dale Small, Business Economic Manager Report,
- Public Art Grant Application, Community Improvement Program

**Moved by:** Councillor Burke

**Seconded by:** Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive the Business Economic Manager report dated August 8, 2013 with regard to the Public Art Grant Application – Community Improvement Program;*

*AND FURTHER THAT the Council of the Corporation of the Township of Wellington North approve a one-time grant up to \$2,400.00 under the Public Arts Grant Program for the completion of a mural on the north wall of 243 George Street, Arthur.*

**Resolution Number: 5**

**Carried**

3. Administration/Finance Committee

- Minutes, July 22, 2013

**Moved by:** Councillor Burke

**Seconded by:** Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Administration/Finance Committee meeting held on July 22, 2013.*

**Resolution Number: 6**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

3. Administration/Finance Committee  
- Minutes, July 22, 2013 (continued)

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Burke

*THAT the Council of the Corporation of the Township of Wellington North accept the Committee Structure Proposal from Nigel Bellchamber as presented at a cost of approximately \$5,000.00 plus tax as recommended by the Administration/Finance Committee.*

*AND FURTHER THAT the funds from Administration Operating Budget (Consulting/Engineering) be utilized.*

**Resolution Number: 7**

**Carried**

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Burke

*THAT the Council of the Corporation of the Township of Wellington North receive Report TR2013-21 with regard to the Tucker Street full paving;*

*AND FURTHER THAT Council accept the Contemplated Change Order from Moorefield Excavating for the repaving of the entire section of Tucker Street as recommended by the Finance Committee;*

*AND FURTHER THAT the additional cost associated with the repaving of \$70,084.00 plus HST be funded from the 2013 Roads Capital Budget.*

**Resolution Number: 8**

**Carried**

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H. **STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS** (continued)

4. Water/Wastewater Services
- Report from Triton Engineering Limited regarding the 2013 Reserve Capacity Calculation for the Mount Forest Waste Water Treatment Plant.

**Moved by: Councillor Burke**  
**Seconded by: Councillor Goetz**

*THAT the Council of the Corporation of the Township of Wellington North adopt the report prepared by Triton Engineering Limited regarding the 2013 Reserve Capacity Calculations for the Mount Forest Waste Water Treatment Plant as recommended by Barry Trood, Superintendent, Water/Wastewater Services.*

**Resolution Number: 9**

**Carried**

5. Dale Clark, Roads Superintendent Report
- Sideroad 7 West and Concession 11 intersection
  - Received as information
6. Mike Givens, Acting CAO/Treasurer, Report TR2013-22
- Appointment of the Director of Public Works

**Moved by: Councillor Yake**  
**Seconded by: Councillor Burke**

*THAT the Council of the Corporation of the Township of Wellington North receive Report TR2013-22 with regard to the Appointment of the Director of Public Works.*

**Resolution Number: 10**

**Carried**

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**I. CORRESPONDENCE FOR COUNCIL'S INFORMATION**

1. Wesley Haramule, Post Time Pub & Grill, Inc.  
Re: Temporary Liquor License Extension for Buzz & Toms Charity  
Fundraiser for Groves Memorial Hospital

**Moved by: Councillor Yake**

**Seconded by: Councillor Burke**

*THAT the Council of the Corporation of the Township of Wellington North have no objection to Post Time Pub & Grill, Inc., 257 George St., Arthur, applying for a temporary license extension to the Alcohol and Gaming Commission of Ontario for Saturday, August 24, 2013 between the hours of 11:00 a.m. and 6:00 p.m. for the annual Buzz and Tom's charity fundraiser.*

**Resolution Number: 11**

**Carried**

2. Judy Rosebrugh, President & CEO, Wellington North Power Inc.  
Re: Request for Council Support of a Building  
- Council deferred this item until further information could be obtained.

**J. BY-LAWS**

1. 61-13 Being a by-law to authorize the sale of real property being vacant industrial lands in the former Town of Mount Forest (Part Division 3, Lot 32, Concession 1, geographic Township of Normanby, Mount Forest, Industrial Drive – Arbro Concrete Forming Ltd.)

**Moved by: Councillor Yake**

**Seconded by: Councillor Burke**

*THAT By-law Number 61-13 being a by-law to authorize the sale of real property being vacant industrial lands in the former Town of Mount Forest be read a First, Second and Third time and finally passed. (Part Division 3, Lot 32, Concession 1, geographic Township of Normanby, Mount Forest, Industrial Drive – Arbro Concrete Forming Ltd.)*

**Resolution Number: 13**

**Carried**



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J. **BY-LAWS** (continued)

2. 62-13 Being a by-law to authorize the sale of real property being vacant industrial lands in the former Town of Mount Forest (Part Division 3, Lot 32, Concession 1, geographic Township of Normanby, Mount Forest, Industrial Drive – Katherine Dippel and James Dippel)

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Goetz

*THAT By-law Number 62-13 being a by-law to authorize the sale of real property being vacant industrial lands in the former Town of Mount Forest be read a First, Second and Third time and finally passed. (Part Division 3, Lot 32, Concession 1, geographic Township of Normanby, Mount Forest, Industrial Drive – Katherine Dippel and James Dippel)*

**Resolution Number: 14**

**Carried**

3. 63-13 Being a by-law to amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North (Part Lot 20, Concession B, 7570 Highway 6, Arthur - Teselink)

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Yake

*THAT By-law Number 63-13 being a by-law to amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North be read a First, Second and Third time and finally passed. (Part Lot 20, Concession B, 7570 Highway 6, Arthur - Teselink)*

**Resolution Number: 15**

**Carried**

4. 64-13 Being a by-law to amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North (Storage Containers)

- Council deferred this item pending further information.

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J. **BY-LAWS** (continued)

5. 65-13 Being a by-law to amend By-law Number 5000-05, a by-law to regulate the parking or stopping of vehicles on highways, public parking lots and in some instances, private property within the Township of Wellington North. (Durham and Normanby Streets)

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Yake

*THAT By-law Number 65-13 being a by-law to amend By-law Number 5000-05, a by-law to regulate the parking or stopping of vehicles on highways, public parking lots and in some instances, private property within the Township of Wellington North be read a First, Second and Third time and finally passed. (Durham and Normanby Streets)*

**Resolution Number: 17**

**Carried**

6. 66-13 Being a By-law to appoint a Director of Public Works for the Corporation of the Township of Wellington North

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Yake

*THAT By-law Number 66-13 being a by-law to appoint a Director of Public Works for the Corporation of the Township of Wellington North be read a First, Second and Third time and finally passed. (Debbie Zehr)*

**Resolution Number: 18**

**Carried**

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J. **BY-LAWS** (continued)

7. 67-13 Being a By-law to temporarily close portions of Conestoga, Smith, George, Charles, Isabella and Tucker Streets in the former Village of Arthur for the purpose of holding the Arthur Fall Fair Parade.

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Yake

*THAT By-law Number 67-13 being a by-law to temporarily close portions of Conestoga, Smith, George, Charles, Isabella and Tucker Streets in the former Village of Arthur for the purpose of holding the Arthur Fall Fair Parade be read a First, Second and Third time and finally passed.*

**Resolution Number: 19**

**Carried**

8. 68-13 Being a By-law to temporarily close a portion of King Street East and Main Street (Hwy. 6) in the former Town of Mount Forest for the Fall Fair Parade.

**Moved by:** Councillor Goetz  
**Seconded by:** Councillor Yake

*THAT By-law Number 68-13 being a by-law to temporarily close a portion of King Street East and Main Street (Hwy. 6) in the former Town of Mount Forest for the Fall Fair Parade be read a First, Second and Third time and finally passed.*

**Resolution Number: 20**

**Carried**

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J. **BY-LAWS** (continued)

9. 69-13 Being a By-law to authorize the execution of a Site Plan Agreement (Part Park Lots 4 and 5, Crown Survey Arthur Village, Parts 1, 2 and 3 RP 61R8981-Musashi Auto Parts Canada Inc.)

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Goetz

*THAT By-law Number 69-13 being a by-law to authorize the execution of a Site Plan Agreement be read a First, Second and Third time and finally passed. (Part Park Lots 4 and 5, Crown Survey Arthur Village, Parts 1, 2 and 3 RP 61R8981-Musashi Auto Parts Canada Inc.)*

**Resolution Number: 21**

**Carried**

10. 70-13 Being a By-law to authorize the execution of an Agreement between Integrated Maintenance and Operations Services Inc. and the Corporation of the Township of Wellington North (Connecting Link Winter Maintenance 2013/2014 Services for Mount Forest)

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Goetz

*THAT By-law Number 70-13 being a by-law to authorize the execution of an Agreement between Integrated Maintenance and Operations Services Inc. and the Corporation of the Township of Wellington North be read a First, Second and Third time and finally passed. (Connecting Link Winter Maintenance 2013/2014 Services for Mount Forest)*

**Resolution Number: 22**

**Carried**

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J. **BY-LAWS** (continued)

11. 71-13 Being a By-law to authorize the execution of an Agreement between Integrated Maintenance and Operations Services Inc. and the Corporation of the Township of Wellington North (Connecting Link Winter Maintenance 2013/2014 Services for Arthur

**Moved by:** Councillor Yake  
**Seconded by:** Councillor Goetz

*THAT By-law Number 71-13 being a by-law to authorize the execution of an Agreement between Integrated Maintenance and Operations Services Inc. and the Corporation of the Township of Wellington North be read a First, Second and Third time and finally passed. (Connecting Link Winter Maintenance 2013/2014 Services for Arthur)*

**Resolution Number: 23**

**Carried**

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**K. OTHER/NEW BUSINESS**

1. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications:

File No. B75/13, James and Donna Bowden

Council support the application with the following conditions:

- That the Owner receive zoning compliance for lot area
- That the Owner receive zoning compliance for lot frontage
- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of consent for the proper and orderly development of the subject lands; and further that the local municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- That the Owner receives approval for an entrance from the applicable road authority.
- That storm connection and servicing are at the owners expense and to the approval of the Township.

File No. B76/13, James and Donna Bowden

Council support the application with the following conditions:

- That the Owner receives zoning compliance for lot area and interior side yard setback.
- That the Owner receives approval for an entrance from the applicable road authority.
- That storm connection and servicing are at the owners expense and to the approval of the township.
- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the local municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

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**K. OTHER/NEW BUSINESS (continued)**

File No. B77/13, James and Donna Bowden

Council support the application with the following conditions:

- That the Owner receives zoning relief for lot area and interior side yard setback.
- That storm connection and servicing are at the Owners expense and to the approval of the Township.
- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the local municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

File No. B71/13, 1117418 Ontario Inc. (Doug Kopp)

Council support the application with the following conditions:

- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the local municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

File No. B72/13, 1117418 Ontario Inc. (Doug Kopp)

Council support the application with the following conditions:

- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the local municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

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K. **OTHER/NEW BUSINESS** (continued)

File No. B70/13 Harold and Nancy Whetham

Council support the application with the following conditions:

- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the local municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- County conditions:
  - a) That any concerns of the Conservation Authority can be addressed;
  - b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and
  - c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.

L. **ITEMS FOR COUNCIL'S INFORMATION**

Cheque Distribution Report dated August 7, 2013

Thank You

- Faye Craig, Participant in 1<sup>st</sup> Annual "Most Patriotic Residence in Arthur" Competition

AMO Update

- Ministry of Labour re Issue of Unpaid Internships in Ontario

Randy Pettapiece, MPP, Perth-Wellington

- Bill 73, *The Fair and Opening Tendering Act* to amend Ontario's *Labour Relations Act*



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L. **ITEMS FOR COUNCIL'S INFORMATION** (continued)

Ontario Provincial Police

- OPP Billing Reform Survey

Maitland Valley Conservation Authority

- Transforming Conservation Services to Meet the Challenge of a Changing Climate
- Responding to Climate Trends

Grand River Conservation Authority

- Minutes, General Membership Meeting, June 28, 2013

M. **CULTURAL MOMENT**

**MEMORIES OF ARTHUR AND AREA - VOLUME III**

*"Searching the Past – To Understand the Present."*

*By John Walsh and Associates*

Over the years the history of Arthur and happenings therein, have been recorded by a number of citizens from Arthur and Area. The earliest was William McQuinn, a local miller, whose articles described life in the village going back to the late 1800's. H.Gordon Green, Campbell Cork, Paul O'Donnell, Frank Coffey and Jim Hamilton are some of the others that have laid ink to paper in publishing local history through their individual efforts. Most recently, John Walsh and Associates have created a series of 'Memories of Arthur and Area' publications, utilizing local citizens who have an interest in the history of the area and who offered to write on subjects in which they were interested.

The most recent, Volume III, features articles on Arthur's Centennial Celebrations in 1972, Round Barns in West Luther, The Postal Service Over the Years, Arthur and Area Veterans, Trevor Henry and Hockey in Arthur over the Years, to name a few. Each article in the book is followed with some 'Words of Wisdom' for those who like a bit of humour with their history. As with previous volumes, all proceeds of the book go to the Arthur and Area Historical Society to assist them with their local projects.

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M. **CULTURAL MOMENT** (continued)

The mural on the cover of this book is painted on the south wall of Hunter Tax Management Office at the South entrance to Arthur. It depicts an early settler with his wife and children and his yoke of oxen as he leaves the Registry Office in Arthur. He has in his hand his 'location papers' which entitles him to a free 50 acre plot of land in Arthur Township. He will be travelling north on the Garafraxa Road (Hwy #6) to his pioneer property and if he meets his settlement requirements, he will be entitled to purchase another 50 acres at a cost of \$2.00 per acre.

N. **NOTICE OF MOTION**

None.

O. **ANNOUNCEMENTS**

Mayor Tout announced that this past Saturday was the Grand Opening of the Habitat for Humanity Reuse Store in Mount Forest. He reminded everyone of upcoming events including the fall fairs and the opening of the trail in Arthur.

P. **CLOSED MEETING SESSION**

1. "Legal" matter
2. "Personnel" matter

**Moved by: Councillor Burke**

**Seconded by: Councillor Yake**

***THAT Council go into a meeting at 9:30 p.m. that is closed to the public under subsections 239 (2) (f) (d) of the Municipal Act, 2001***

- *to consider advice that is subject to solicitor-client privilege*
- *to consider labour relations or employee negotiations*

**Resolution Number: 24**

**Carried**

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P. **CLOSED MEETING SESSION** (continued)

**Moved by:** Councillor Yake

**Seconded by:** Councillor Burke

*THAT Council rise from a closed meeting session at 10:26 p.m.*

Resolution Number: 25

**Carried**

Q. **CONFIRMING BY-LAW**

**Moved by:** Councillor Goetz

**Seconded by:** Councillor Yake

*THAT By-law Number 72-13 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on August 12, 2013 be read a First, Second and Third time and finally passed.*

Resolution Number: 26

**Carried**

R. **ADJOURNMENT**

**Moved by:** Councillor Goetz

**Seconded by:** Councillor Yake

*THAT the Regular Council meeting of August 12, 2013 be adjourned at 10:30 p.m.*

Resolution Number: 27

**Carried**

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DEPUTY CLERK

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MAYOR