



## REGIONAL COUNCIL MINUTES

Wednesday, September 19, 2012

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The following are the minutes of the Regular Council Meeting held at 7:30 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, J. Brewer, D. Craig, R. Deutschmann, T. Galloway, J. Haalboom, R. Kelterborn, C. Millar, J. Mitchell, S. Strickland, J. Wideman, and C. Zehr.

Members Absent: T. Cowan, B. Halloran, and G. Lorentz

### CLOSED SESSION

MOVED by J. Brewer

SECONDED by J. Wideman

THAT a closed meeting of Council be held on Wednesday, September 19, 2012 at 6:15 p.m. in the Waterloo County Room, in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

- a) a proposed or pending acquisition of land in the City of Waterloo
- b) proposed or pending acquisition of land in the City of Kitchener
- c) receiving of legal advice and opinion that is subject to solicitor-client privilege related to an agreement
- d) litigation or potential litigation and receiving of legal advice and opinion that is subject to solicitor-client privilege related to a contract
- e) labour relations

CARRIED

MOVED by J. Brewer

SECONDED by C. Millar

THAT Council reconvene in Open Session.

CARRIED

### **DECLARATIONS OF PECUNIARY INTEREST UNDER *THE MUNICIPAL CONFLICT OF INTEREST ACT***

T. Galloway declared a pecuniary interest with respect to Item #10 of the September 11, 2012 Planning and Works Summary of Recommendations regarding Natural Sciences and Engineering Research Council (NSERC) Chair Funding - University of Waterloo, due to his employment at the University of Waterloo.

R. Deutschmann declared a pecuniary interest with respect to Item #12 from the Planning and Works Summary of Recommendations (closed session) related to an expropriation at 490-520 King Street West, Kitchener, due to a non-pecuniary interest since he and his spouse are shareholders of corporations that have an interest in a property at 10 Duke Street West, Kitchener.

Chair Seiling encouraged everyone to attend the 2012 International Plowing Match being held near Roseville this week and thanked staff for their efforts in putting together the displays.

## **MINUTES OF PREVIOUS MEETINGS**

MOVED by C. Zehr

SECONDED by J. Wideman

THAT the following Minutes be approved:

- a) Closed Council – August 29, 2012
- b) Council – August 29, 2012
- c) Community Services – September 11, 2012
- d) Administration & Finance – September 11, 2012
- e) Planning & Works – September 11, 2012
- f) Closed Committee – September 11, 2012

CARRIED

MOVED by J. Mitchell

SECONDED by C. Millar

THAT Council go into Committee of the Whole to consider reports.

CARRIED

## **FINANCE REPORTS**

C. Zehr inquired if there is an increasing trend for tenders going overbudget. Thomas Schmidt, Commissioner, Transportation and Environmental Services responded these tenders represent specialized work but in general tenders for roadwork have been more competitive with better pricing.

- a) F-12-069, T2012-017 Recoating of Howard Spheroid Water Tank, Elmira, Township of Woolwich

MOVED by J. Wideman

SECONDED by J. Brewer

THAT the Regional Municipality of Waterloo accept the tender of C3 Industrial Services for Recoating of Howard Spheroid Water Tank, Elmira, Township of Woolwich, at a total price of \$1,410,567.70 including all applicable taxes;

AND THAT the Regional Municipality of Waterloo approve the advance of funds in the amount of \$267,631.10 from the year 2013 to year 2012 to fund the estimated total project cost.

CARRIED

b) F-12-070, T2012-106 New Dundee Pump Replacement and Well House Upgrades

MOVED by J. Wideman  
SECONDED by J. Brewer

THAT the Regional Municipality of Waterloo accept the tender of Baseline Constructors Inc. for the New Dundee Pump Replacement and Well House Upgrades in the amount of \$742,410.00 including all applicable taxes.

CARRIED

c) F-12-071, T2012-131 Galt Wastewater Treatment Plant Chemical System Upgrades

MOVED by J. Wideman  
SECONDED by J. Brewer

THAT the Regional Municipality of Waterloo accept the tender of Finnbilt General Contracting Ltd. for the construction of the Galt Wastewater Treatment Plant Chemical System Upgrades, at a total price of \$989,231.38 including all applicable taxes.

CARRIED

d) F-12-072, T2012-119 Area Winter Road Maintenance for Various Locations

MOVED by J. Wideman  
SECONDED by J. Brewer

THAT The Regional Municipality of Waterloo accept the tender of Steed and Evans Limited for Area Winter Road Maintenance for Various Locations, for a period of eight (8) years with two optional, two year extensions, in the amount of \$318,266.76 inclusive of HST for Year one (1).

CARRIED  
(S. Strickland opposed)

## **COMMITTEE REPORTS**

### Community Services

The Summary of Recommendations of the Community Services Committee was presented by Sean Strickland, Chair of the Committee.

MOVED by S. Strickland  
SECONDED by J. Mitchell

THAT the Summary of Recommendations of the Community Services Committee dated September 11, 2012, Items 1 and 2, and one report from closed session, Item 3, be adopted as follows:

1. THAT the Regional Municipality of Waterloo endorse the document entitled; 'Region of Waterloo Response to the Modernization of Child Care in Ontario' to be forwarded to the Province and copies to AMO and OMSSA as outlined in report SS-12-037, dated September 11, 2012.

2. THAT the Regional Municipality of Waterloo approve an increase of \$25,650 for the Homemakers and Nurses Services program for 2012, subject to the approval of provincial subsidy from the Ministry of Health and Long Term Care in the amount of \$20,520 and a Regional contribution of \$5,130, to be funded within the Seniors' Services Budget as outlined in Report SS-12-040, dated September 11, 2012.
3. THAT the Regional Municipality of Waterloo approve the appointments of Rosie Chrisjohn-Weiler as Federal Housing Provider representative, and Klaudios Mustakas as Private Non-Profit Housing Provider representatives to the Waterloo Region Community Housing Advisory Committee (WRCHAC), each for a three-year term expiring on August 31, 2015.

CARRIED

#### Administration and Finance

The Summary of Recommendation of the Administration and Finance Committee was presented by Tom Galloway, Chair of the Committee.

MOVED by T. Galloway  
SECONDED by L. Armstrong

THAT the Summary of Recommendations of the Administration and Finance Committee dated September 11, 2012, items 1 to 3, be adopted as follows:

1. 1. THAT Regional Council approve the following in relation to the Jack Young Civic Award:
    - a) That the Jack Young Civic Award be presented every two years at the last Council meeting in November effective November 2012;
    - b) That the Jack Young Committee continue to evaluate nominations for the Jack Young Civic Award and make recommendations on the Award to Regional Council;
    - c) The nomination process, eligibility criteria and selection process as outlined in Report RC-12-001.
  2. THAT Regional Council commence the practice of periodic, official recognition of Regional Councillors' Length-of-Service in five year increments as described in Report RC-12-001.
  3. THAT Regional Council approve the establishment of a Naming Policy for Region of Waterloo Facilities as described in Report RC-12-001.
2. THAT the Regional Municipality of Waterloo support the resolution of the Town of Tillsonburg Council attached as Appendix A to report F-12-067 requesting the Province of Ontario to amend Part IX of the Municipal Act, 2001 and related regulations to make Business Tax Capping optional at the discretion of each upper and single tier jurisdiction effective for the 2013 taxation year;

AND THAT this resolution be circulated to the Minister of Finance, the Minister of Municipal Affairs and Housing, local MPPs and the Area Municipalities.

3. THAT the Regional Municipality of Waterloo request the Minister of Finance to amend the prescribed rates for “Heads and Beds” payments in lieu of taxation under Section 323 of the Municipal Act to allow for inflation over the past 25 years;

AND THAT the resolution be forwarded to the Minister of Finance, the Minister of Municipal Affairs and Housing, the Minister of Health and Long Term Care, the Minister of Training, Colleges and Universities, the Association of Municipalities of Ontario, The Council of Ontario Universities, the Ontario Hospitals Association, Cities of Kitchener, Cambridge and Waterloo and the local Members of Provincial Parliament.

CARRIED

### Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Jim Wideman, Chair of the Committee. Items # 5, 10 and 12 were taken separately.

MOVED by J. Wideman

SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, dated September 11, 2012, Items to 1 to 4, 6 to 9, and one report from closed session, Item 11, be adopted as follows:

1. THAT the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, to add to Schedule 15, Prohibited Movements, Westbound Left-turn, 3:00 p.m. to 7:00 p.m. Monday to Friday at the intersection of Ira Needles Boulevard (Regional Road 70) and Yellow Birch Drive;  
  
AND THAT the effectiveness of the Westbound Left-turn prohibition at the intersection of Ira Needles Boulevard (Regional Road 70) and Yellow Birch Drive in the City of Kitchener, be reviewed following a 1-year trial period, as outlined in Report E-12-100, dated September 19, 2012.
2. THAT the Region of Waterloo accept P-12-096, Monthly Report of Development Activity for July 2012, dated September 11, 2012. [P-12-096]
3. THAT the Regional Municipality of Waterloo Controlled Access By-law #58-87 be amended to include a permanent full movement access on the west side of Regional Road #33 (Townline Road) approximately 235 metres south of Concession 1, in the City of Cambridge, as described in Report No. P-12-099, dated September 11, 2012.
4. THAT the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a temporary all movement construction access on the east side of Regional Road #58 (Fischer-Hallman Road), approximately 256 metres north of Huron Road, in the City of Kitchener, as described in Report No. P-12-100, dated September 11, 2012.
6. THAT the Regional Municipality of Waterloo approve the removal of the raised corner islands (bump-outs) on Myers Road (Regional Road 43) in the City of Cambridge, as outlined in Report E-12-087, dated September 11, 2012.

7. THAT the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, to
- a) Remove from Schedule #1, No parking Anytime on both sides of Erb's Road (Regional Road 9) from 2504 metres east of Notre Dame Drive (Regional Road 12) to 2404 metres east of Notre Dame Drive (Regional Road 12);
  - b) Add to Schedule #24, Reserved Lanes on both sides of Erb's Road (Regional Road 9) from Ira Needles Boulevard (Regional Road 70) to 260 metres east of Notre Dame Drive (Regional Road 12);
  - c) Add to Schedule #1, No Parking Anytime on both sides of Erb's Road (Regional Road 9) from Ira Needles Boulevard (Regional Road 70) to 260 metres east of Notre Dame Drive (Regional Road 12);

in the City of Waterloo and the Township of Wilmot, as outlined in Report E-12-092, dated September 11, 2012.

8. THAT the Regional Municipality of Waterloo enter into a Consulting Services Agreement with Deloitte and Touche LLP to complete a full Business Case Analysis in support of the implementation of a biosolids heat drying facility through a Public-Private Partnership (P3) delivery model at an upset fee limit of \$250,182 including all applicable taxes;

AND THAT Regional Council appoint Councillors J. Brewer for Cambridge, J. Mitchell for Waterloo, and L. Armstrong for the Township of Wilmot, to participate in the Biosolids Heat Drying Facility Class EA Steering Committee. [E-12-096]

9. THAT the Regional Municipality of Waterloo receive the *Kitchener Zone 4 Trunk Watermain – Municipal Class Environmental Study Report* prepared by Genivar Inc. including its recommendations as summarized in Report E-12-084 dated September 11, 2012;

AND THAT Regional Municipality of Waterloo issue the Notice of Completion of Environmental Study Report, and file the Environmental Study Report for public review in accordance with Municipal Class Environmental Assessment requirements.

11. THAT the Regional Municipality of Waterloo approve, enter into a Settlement Agreement for, and execute all documentation related to, the expropriation of lands described as Part of Common Elements, Waterloo North Condominium Plan No. 23, being Part 1, Expropriation Plan WR698842, in the City of Waterloo, Regional Municipality of Waterloo from Waterloo North Condominium Corporation No. 23 for the sum of \$28,000.00 plus associated costs, subject to documentation satisfactory to the Regional Solicitor.

CARRIED

MOVED by J. Wideman  
SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, dated September 11, 2012, Item 5, be adopted as follows:

5. THAT the Regional Municipality of Waterloo approve an amendment to the existing Consulting Services Agreement with AECOM to include additional contract administration and site inspection services required for completion of the Waterloo Wastewater Treatment Plant for an upset fee increase of \$596,000 plus applicable taxes, to be funded from the existing project capital budget in the 2012 Ten Year Wastewater Capital Program. [E-12-085]

CARRIED

(S. Strickland opposed)

MOVED by J. Wideman  
SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, dated September 11, 2012, Item 10, be adopted as follows:

Conflict:  
T. Galloway

10. THAT the Regional Municipality of Waterloo provide funding of \$75,000 per year from 2013 to 2017 to support the 5th term of the Natural Sciences and Engineering Research Council Chair in Drinking Water Research at the University of Waterloo, as outlined in Report E-12-094 dated September 11, 2012.

CARRIED

MOVED by J. Wideman  
SECONDED by J. Brewer

THAT the Summary of Recommendations of the Planning and Works Committee, one report from closed session, Item 12, be adopted as follows:

Conflict:  
R.  
Deutschmann

12. THAT The Regional Municipality of Waterloo approve, enter into an agreement pursuant to section 24 of the *Expropriations Act* with Brewers Retail Inc. (formerly Brewers' Warehousing Stores Limited) for, and execute all documentation related thereto, in relation to the Region's expropriation of the lands described as Lots 1, 2 and Part Lot 3, Plan 374, Part Lots 35 and 36, Streets and Lanes, as in Instrument No. 290048, being PIN Number 22318-0161 (LT), City of Kitchener, Regional Municipality of Waterloo, known municipally as 490-520 King Street West, Kitchener, to provide for acquisition of the lands for a purchase price of \$1,400,000, compensation for disturbance and relocation costs in the amount of \$1,325,000, plus associated costs, subject to documentation satisfactory to the Regional Solicitor.

CARRIED

## **OTHER MATTERS UNDER COMMITTEE OF THE WHOLE**

MOVED by L. Armstrong  
SECONDED by J. Mitchell

THAT Committee of the Whole rise and Council resume.

CARRIED

MOVED by J. Mitchell  
SECONDED by L. Armstrong

THAT Council adopt the proceeding of the Committee of the Whole.

CARRIED

## **OTHER BUSINESS**

Memo: Ontario Works Caseload: August 2012 was received for information.

Chair Seiling announced this is the final Council meeting for Mike Schuster, Commissioner of Social Services who is retiring. He thanked him for his special skills brought to this position and wished him well in his retirement.

## **ENACTMENT OF BY-LAWS – (FIRST, SECOND & THIRD READINGS)**

MOVED by J. Brewer  
SECONDED by C. Millar

- a) THAT a By-law to Amend By-law Number 58-87, as amended, Being a By-law to Designate and Regulate Controlled-Access Roads Regional Road #33 (Townline Road, City of Cambridge) and Regional Road #58 (Fischer-Hallman Road, City of Kitchener) be read a first, second and third time, finally passed and numbered 12-035 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- b) THAT A By-law to Amend By-law 06-072, as amended, being the Region's Traffic and Parking By-law Prohibited Movements, Regional Road 70 (Ira Needles Boulevard at Yellow Birch Drive, City of Kitchener) and Parking and Lane Designation, Regional Road 9 (Erb's Road near Notre Dame Drive Regional Road 12, City of Waterloo and Township of Wilmot) be read a first, second and third time, finally passed and numbered 12-036 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- c) THAT a By-law to Confirm the Actions of Council of September 19, 2012 be read a first, second and third time, finally passed and numbered 12-037 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

CARRIED

## **ADJOURN**

MOVED by J. Brewer  
SECONDED by J. Haalboom

THAT the meeting adjourn at 7:45 p.m.

CARRIED

**REGIONAL CHAIR, K. Seiling**

**REGIONAL CLERK, K. Fletcher**