

Council Committee Room B
September 22, 2008 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Farrelly, Findlay, Hofland, Piper, Salisbury and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Dr. J. Laird, Director of Environmental Services; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Manager of Legal Services; Mr. J. Stokes, Manager of Realty Services; Mr. D. Wyman, Manager of Solid Waste Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

- 1. Moved by Councillor Beard
Seconded by Councillor Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (a), (b), (c), (d), (e) and (f) of the Municipal Act, with respect to:

- security of the property of the city;
- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of land
- labour relations or employee negotiations;
- litigation or potential litigation;
- advice that is subject to solicitor-client privilege.

Carried

The meeting adjourned at 5:31 o'clock p.m.

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Mayor

.....
Clerk

Council Committee Room B
September 22, 2008 5:32 p.m.

**A meeting of Guelph City Council meeting in
Committee of the Whole.**

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Dr. J. Laird, Director of Environmental Services; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Manager of Legal Services; Mr. J. Stokes, Manager of Realty Services; Mr. D. Wyman, Manager of Solid Waste Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF
INTEREST ACT**

There were no declarations of pecuniary interest.

1. Moved by Councillor Wettstein
Seconded by Councillor Beard
THAT Committee hear the delegations of Denis Chamberland and Scott Gamble.

Carried

The delegation provided the committee with information.

Ms. L.E. Payne
Dr. J. L. Laird

2. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT staff be given direction with respect to receiving advice that is subject to solicitor-client privilege.

Carried

The Chief Administrative Officer and the Manager of Corporate Property Services provided information with respect to a potential litigation matter.

Ms. L.E. Payne

3. Moved by Councillor Wettstein
Seconded by Councillor Beard
THAT the Litigation Status Report dated September 5, 2008, be received for information.

Carried

Ms. L.E. Payne 4. Moved by Councillor Billings
 Seconded by Councillor Farrelly
 THAT staff be given direction with respect to a potential
 litigation matter.

Carried

Ms. L.E. Payne 5. Moved by Councillor Piper
 Ms. H. Loewig Seconded by Councillor Hofland
 THAT staff be given direction with respect to a proposed
 or pending disposition of land.

Carried

Ms. A. Pappert 6. Moved by Councillor Wettstein
 Seconded by Councillor Hofland
 THAT staff be given direction with respect to a proposed
 acquisition of land.

Carried

Mrs. L.A. Giles 7. Moved by Councillor Kovach
 Ms. L. Warren Seconded by Councillor Farrelly
 THAT the notice from Jolyne Neil advising of her
 resignation from the Accessibility Advisory Committee, be
 accepted with regret.

Carried

The meeting adjourned at 6:58 o'clock p.m.

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 Mayor

.....
 Clerk

Council Chambers
 September 22, 2008

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Beard, Bell,
 Billings, Burcher, Farrelly, Findlay, Hofland,
 Kovach, Laidlaw, Piper, Salisbury and
 Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Sinclair, Manager of Legal Services; Mr. J. Stokes, Manager of Realty Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

1. Moved by Councillor Wettstein
Seconded by Councillor Hofland

THAT the minutes of the Council meetings held on July 28 and September 2, 2008 and that the minutes of the Council meeting held in Committee of the Whole on July 28, 2008 be confirmed as recorded and without being read;

AND THAT the minutes of the Council meeting held in Committee of the Whole on September 2, 2008 be amended to reflect Councillors Billings and Laidlaw as being in attendance;

AND THAT the minutes of the Council meeting held in Committee of the Whole on September 2, 2008 be confirmed as amended and without being read.

Carried

2. Moved by Councillor Beard
Seconded by Councillor Hofland

THAT persons wishing to address Council be permitted to do so at this time.

Carried

REGULAR MEETING

DELEGATIONS

**Construction of Pilot Scale Research Facility
Adjacent to the Existing Wastewater Treatment
Plant**

Ed McBean was present on behalf of the University of Guelph to answer any questions. Council had no questions.

Councillor Piper presented Clause 5 of the Eighth Report of the Community Development & Environmental Services Committee.

Dr. J. Laird

2. Moved by Councillor Piper
Seconded by Councillor Salisbury

THAT staff be authorized to engage in discussions with the University of Guelph to develop an agreement to provide land and services for a proposed Pilot Scale Wastewater Research Facility adjacent to the existing Wastewater Treatment Plant and to bring the proposed agreement back to Council for its consideration.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Selection of the Design-Build-Operate (DBO) Model for the Construction and Operation of a Facility to Process Organic Waste

Brad Kelloway, President of CUPE 241 was present and suggested that it is critical to include in the agreement, clauses that would allow city staff to become skilled within the first five years of the contract with the objective of the operation coming in house rather than remaining with a private contractor. He advised that the union is willing to work with the Senior Management Team to keep these operations public.

Councillor Piper presented Clause 1 of the Eighth Report of the Community Development & Environmental Services Committee.

Dr. J. Laird
Mr. H. Loewig

3. Moved by Councillor Piper
Seconded by Councillor Salisbury

THAT the Design-Build (DB) option be eliminated from further consideration with respect to Request for Proposal #06-060, entitled "For the Design-Build-Operation of a Facility to Process Organic Waste";

AND THAT the Chief Administrative Officer and the Director of Environmental Services initiate a process after the first three years to meet with all pertinent

stakeholders to review the future direction of the Organics Facility operations.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Gummer Victoria Building Development Charges Deferral

Jason Ashdown was present on behalf of Skyline Incorporated to answer questions with respect to the deferral of development charges for the Gummer / Victoria buildings.

4. Moved by Councillor Findlay
Seconded by Councillor Burcher

Mr. P. Cartwright
Ms. M. Neubauer
Ms. L.E. Payne

THAT Council authorize the Mayor and Clerk to execute an agreement with Skyline Incorporated and Skyway Estates Inc. as outlined in the staff report from Economic Development dated September 22, 2008 to defer payment of Development Charges associated with the Gummer, Victoria, and Stewart Drugs Buildings reconstruction, subject to the final wording being satisfactory to the General Manager of Economic Development and Tourism Services and to the City Solicitor.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: Councillor Kovach (1)

Carried

5. Moved by Councillor Bell
Seconded by Councillor Findlay

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

Carried

Councillor Piper presented the balance of the Eighth Report of the Community Development & Environmental Services Committee

Solid Waste Management Master Plan Steering Committee: Final Report and Recommendations

Dr. J. Laird
Ms. M. Neubauer

6. Moved by Councillor Piper
Seconded by Councillor Salisbury
THAT Council adopts the recommendations contained in the final report of the Solid Waste Management Master Plan Steering Committee, attached as Schedule A;

AND THAT staff bring individual projects to Committee and Council for approval through the annual budget approval process;

AND THAT staff report quarterly to Committee on the implementation of the Solid Waste Management Master Plan;

AND THAT Council extend their appreciation to the members of the Waste Management Master Plan Steering Committee for their efforts and dedication over the past year.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

**Drinking Water Quality Management System
Implementation – Information for Council**

Dr. J. Laird

7. Moved by Councillor Piper
Seconded by Councillor Salisbury
THAT the report of the Director of Environmental Services dated September 5, 2008 entitled Drinking Water Quality Management System Implementation – Information for Council be received;

AND THAT Council, as designated owner of the City of Guelph Waterworks under the Provincial Drinking Water License initiative, authorize the Director of Environmental Services to submit, on Council's behalf, all required applications and supporting documents required under the Drinking Water License initiative;

AND THAT staff be directed to report back to Council with information regarding procedures for communicating compliance with Provincial Drinking Water Legislation.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Mr. J. Riddell

8. Moved by Councillor Piper
Seconded by Councillor Salisbury
THAT City Council adopt amendments to Schedule "A" of By-law (1991)-13791, known as the Backflow Prevention By-law, in accordance with attached Schedule B

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Councillor Wettstein presented the Sixth Report of the Finance, Administration & Corporate Services Committee

St. Joseph's Health Centre Guelph:- The Next Generation Capital Campaign

Ms. A. Pappert
Ms. M. Neubauer

9. Moved by Councillor Wettstein
Seconded by Councillor Findlay
THAT the letter from the St. Joseph's Health Centre Guelph: - The Next Generation Capital Campaign be received as information;

AND THAT since this request from St. Joseph's Health Centre Guelph would be considered as part of the 2011 budget deliberations, and as it reasonable to consider this matter within the context of a larger corporate investment strategy, that the Finance Administration & Corporate Services Committee refers consideration of this letter to the staff team who will be presenting a proposal to undertake a Grant Review/Investment Framework Study in 2009, also subject to budget deliberations;

AND THAT the letter from St. Joseph's Health Centre Guelph: - The Next Generation Capital Campaign be brought forward in 2010 as part of Council budget deliberations, subject to the outcomes of the Grant Review/Investment Framework Study.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Councillor Kovach presented the Sixth Report of the Governance & Economic Development Committee

Code of Conduct for Council and Local Boards

Mrs. L.A. Giles 10. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the Code of Conduct for Council and Local Boards, as attached as Schedule C, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Discretionary Positions Under Municipal Act

Mrs. L.A. Giles 11. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT no action be taken at this time to appoint the following discretionary positions under the Accountability and Transparency provisions of the Municipal Act:

- Integrity Commissioner
- Auditor General
- Lobbyist Registrar
- Ombudsman

AND THAT the appointment of these discretionary positions be reviewed again by June 2009;

AND THAT City staff develop a process for responding to a complaint that a contravention of the Code of Conduct may have occurred.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Change of Name for the Board of Management for the downtown Business Improvement Area; Appointments to the Downtown Guelph Business Association

Ms. J. Garrard
Mrs. L.A. Giles

12. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the name of the Board of Management for the Downtown Business Improvement Area be changed to "Downtown Guelph Business Association", and that By-law Number (1981)-10773 as amended, be further amended to reflect the change in name;

AND THAT Council confirms the following citizen appointments to the Guelph Downtown Board of Management: John Allan, Tony DiBatista, Julia Grady, Sarah Harrison, Shelley Krieger, Andrew Lambden, Tom Lammer, Barbara Turley-McIntyre, Doug Minett, Konnie Peet, and Mark Rodford for a term expiring November 2010.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Sidewalk Winter Control Service Review

Ms. B. Boisvert
Mr. D. McCaughan

13. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the staff proposed Sidewalk Winter Control Service Review Plan outlined in the September 11, 2008 report to the Governance and Economic Development Committee, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Councillor Kovach presented the Sixth Report of Council as Committee of the Whole

Appointments to Guelph Junction Railway

Mrs. L.A. Giles

14. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT John Carroll be appointed as a Director of Guelph Junction Railway Board of Directors for a one year term;

AND THAT David Clarke be appointed as a Director of Guelph Junction Railway Board of Directors for a two year term;

AND THAT R. Paul G. Smith be appointed as a Director of the Guelph Junction Railway Board of Directors for a three year term.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Appointments to the Development Charges Advisory Committee

15. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

Mrs. L.A. Giles

THAT Eric Meliton and Doug Reddick be appointed to the Development Charges Advisory Committee for a term for the mandate of the committee.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

CONSENT AGENDA

The following item #A-3 was extracted from the Consent Agenda to be voted on separately.

16. Moved by Councillor Kovach
Seconded by Councillor Billings

THAT the balance of the September 22, 2008 Consent Agenda as identified below, be adopted:

a) **15 Holland Crescent – Upcoming Ontario Municipal Board Hearing – File A-36/08**

Mr. J. Riddell
Ms. L.E. Payne

THAT the City not be a party at the upcoming Ontario Municipal Board hearing resulting from an appeal to the Committee of Adjustment's Decision A-36/08 concerning a variance for a reduced westerly side yard setback to accommodate a basement entrance at 15 Holland Crescent.

b) **Water and Wastewater Meter Reading and Billing Services Agreement**

Dr. J. Laird
Ms. L.E. Payne

THAT the Mayor and Clerk be authorized to execute a new agreement with Guelph Hydro Electric Systems Incorporated for the provision of Water & Wastewater Meter Reading and Billing Services, subject to the satisfaction of the Director of Environmental Services and the City Solicitor;

AND THAT the Director of Environmental Services be authorized to update Schedule "A", of the Agreement for Water & Wastewater Billing Services as appropriate, to reflect current rates and fees as agreed to between the parties.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Interim Youth Shelter Facility

Ms. L.E. Payne
Ms. M. Neubauer

17. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the Mayor and Clerk be authorized to execute an operating agreement with Wyndham House to operate an interim youth shelter at 65 Delhi Street, subject to the form and content of the agreement being satisfactory to the Director of Corporate Services/ City Solicitor.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

18. Moved by Councillor Billings
Seconded by Councillor Burcher

THAT the Committee rise with leave to sit again.

Carried

19. Moved by Councillor Burcher
Seconded by Councillor Billings
THAT the action taken in Committee of the Whole in
considering reports and correspondence, be confirmed by
this Council.

Carried

BY-LAWS

20. Moved by Councillor Farrelly
Seconded by Councillor Salisbury
THAT By-laws Numbered (2008)-18607 to (2008)-18643,
inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings,
Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw,
Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

MAYOR'S ANNOUNCEMENTS

The Mayor announced that Councillor Burcher has
recently been appointed to the Federation of Canadian
Municipalities, Green Municipal Funds Council.

ADJOURNMENT

The meeting adjourned at 8:10 o'clock p.m.

Minutes read and confirmed October 27, 2008.

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Mayor

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Clerk

Solid Waste Management Master Plan Steering Committee: Final Report and Recommendations

Waste Minimization

1. Adopt a Zero-Waste Philosophy
2. Implement a Per Capita Waste Reduction Program.
3. Enhance and rejuvenated promotion and education program with efforts to target local businesses, community groups and schools in the city.
4. Promote and encourage waste minimization legislation and programs (federally and provincially).
5. Develop and adopt a municipal green procurement policy.
6. Pilot a *Plastic Film Minimization Program*.

Multi-Residential Recycling

1. Contact/survey existing local waste hauling companies to gauge current participation in recycling by the multi-residential sector (above collection service provided by the city).
2. Gather information available from the province regarding multi-residential audit/tonnage data as a benchmark against future pilot project data.
3. Implement a Multi-Residential Pilot Study.
4. Identify target locations/property managers/owners for P&E sweep to promote increased recycling.
5. Create/amend by-law(s) to enforce recycling in conjunction with a dedicated multi-residential co-ordinator.
6. Modify the building permit process to enforce recycling in new multi-residential developments.
7. Access incentives for recycling including rebates, lower permit fees, and other available options.

Re-Use Center Programming

1. Promote use of all existing facilities and programs.
2. Investigate partnership opportunities with an existing re-use organization to develop a drop-off re-use facility at the Waste Resource Innovation Centre.
3. Conduct research to determine weight diverted through re-use programs and facilities and the potential for claiming this diversions with Waste Diversion Ontario.

Open Space Recycling & Special Events

1. Meet interdepartmentally to assess centralized waste/recycling collection in parks and public open spaces.
2. Conduct an public open space (park, trail, arena and streetside) pilot study with an emphasis on collecting high value recyclables (aluminum cans and plastic bottles).

3. Assess requirements for city-wide distribution of waste separation containers.
4. Target park, sportsfield, trail and other users to promote the use of open space recycling containers.
5. Identify partnership opportunities with Guelph businesses or organizations to encourage sponsorship and stewardship.
6. Meet with representatives from the Downtown Board of Management to develop a sustainable streetside recycling program.
7. Mandate recycling and composting with special events permits.
8. Develop promotional and educational materials for event planners and facility users.
9. Assess capacity to provide city collection of sorted materials from events.

Promotion & Advertising

1. Re-focus and re-develop the waste management P&E campaign, build in new messages and re-invigorate municipal residents. Community-based social marketing approaches should be considered.
2. Develop a recognition program to highlight and share the best waste management practices as demonstrated by organizations and individuals in the city.

Residential Construction & Demolition Waste

1. Mandate recycling through building/demolition permits.
2. Develop partnerships and/or pilot studies with local builders.
3. Continue to assess opportunities to recycle commingled construction and demolition materials.
4. Evaluate variable tipping fees to encourage recycling of shingles, drywall, wood.
5. Obtain a Certificate of Approval amendment to store C&D waste at the Waste Resource Innovation Centre.

Industrial, Institutional and Commercial Waste

1. Assess opportunities with various associations for recycling opportunities.
2. Update the Recycling/Disposal Manual for the IC&I Sector.
3. Provide recognition to *high performers* in the IC&I Sector and facilitate shared ideas within that sector for waste minimization and diversion programming.

High Performance Recycling

1. The list of items for the blue bag should be revised and refined to include newspaper, cardboard, fine paper, glass, plastics, aluminum and steel beverage and food containers only.
2. Additional materials represent a very low volume (and weight), are costly to process and have either very low or no market value.
3. The City should regularly review the list of materials in the blue bag.

4. The City's current enforcement program should be maintained. Implementation of a user-pay program may be challenging in Guelph as only 40% of those responding to the *Waste Management Survey* supported such a program.

Waste Disposal

1. Further consideration of disposal strategies within Guelph is not recommended.
2. Waste disposal options including contractual arrangements (municipal or private sector) should be considered further.
3. Municipal partnerships for disposal should be explored and municipalities contacted.
4. Criteria in future disposal contracting arrangements should include an evaluation of the environmental impact of available disposal sites/facilities with consideration given to leachate management, gas management and utilization, energy consumption, energy production at minimum as a basis to compare disposal options.

**Proposed Amendments to Backflow Prevention Regulations
(Schedule "A", By-law Number (1991)-13791)**

Existing	Proposed Amendment
2.0 "ASSE", "AWWA", "Installation Guide"	Deleted these definitions as they are no longer referenced in the schedule.
2.0 "tester"	2.0 Amended definition to "qualified person" and updated reference to current Licensing By-law.
2.0 "Cross Connection Control Survey Form", "Test Report", "Test Tag"	2.0 Amended these definitions to reflect best practices and industry preferences.
Nil	2.0 Added new definition for "Untreated Water".
4.0	4.0 Amended this clause to add "Untreated Water" to restrictions on what may be connected to potable water supplies.
7.2.2	7.2.2 Amended this clause to allow City staff to determine type of protection required, eliminates an owner from retaining a Professional Engineer.
7.3	7.3 Amended this clause to allow flexibility when a unique situation is encountered.
7.4	Deleted former clause which was redundant. 7.4 Added new clause to allow existing approved devices to remain notwithstanding changes to standards or guidelines provided the safety of the water supply is maintained.
8.0.1	8.0.1 Amended this clause to reflect current, recognized industry practice.
9	9 Entire section revised to reflect current, recognized industry practices for testing of devices. Responsibilities are also outlined more clearly.
10	10 Amended this section by including additional resources to assist an inspection. Also clarified requirements if non-compliance with the schedule exists.
12	Deleted this section as it was no longer relevant.
Appendix "A"	Appendix "A" Deleted allowance for a Professional Engineer or Engineering Technologist to perform functions in this appendix. No one in either of these professions have become qualified or licensed since the inception of the program. Expanded the authorized functions for licenced tradespersons to perform additional work which will be more efficient and could reduce the cost for owner's to remain in compliance with the schedule.
Appendix "C"	Appendix "B" Amended this appendix to reflect changes in the CSA standard, provide more clarity in application and to assist our industry partners.
Appendices "B", "D", "E" and "F"	Deleted these appendices as they were not required to be included in the schedule. Their existence in the schedule was onerous on our industry partners and did not reflect best practices.

POLICY	Council Code of Conduct
CATEGORY	
AUTHORITY	S.223.2(1) Municipal Act
RELATED POLICES	Accountability and Transparency
APPROVED BY	
EFFECTIVE DATE	
REVISION DATE	Annually

POLICY STATEMENT

A written Code of Conduct helps to ensure that the members of Council, advisory committees, and local boards of the municipality (as defined in the *Municipal Act*), share a common basis for acceptable conduct. This code is designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that Guelph's elected and appointed representatives operate from a base of integrity, justice and courtesy. The key principles that underline the Code of Conduct are as follows:

- all members shall serve and be seen to serve their constituents in a conscientious and diligent manner;
- members should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, both real and apparent;
- members are expected to perform their duties in office in a manner that promotes public confidence and will bear close public scrutiny;
- members shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.

PURPOSE

Municipal Council Members hold positions of privilege. Therefore, they must discharge their duties in a manner that recognizes a fundamental commitment to the well being of the community and regard for the integrity of the Corporation. The purpose of the Code of Conduct is to:

- Protect the public interest.
- Encourage high ethical standards among members of Guelph City Council and local boards.
- Provide a universal understanding of the fundamental rights, privileges, and obligations of members of Guelph City Council and local boards.
- Provide a means for members of Guelph City Council and local boards to obtain information on some contemplated conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct.

DEFINITIONS

Members – include the Mayor and Members of Guelph City Council and the following local boards, and their predecessors, and other boards which may be established from time to time:

- Accessibility Advisory Committee
- Committee of Adjustment
- Downtown Board of Management
- Board of Trustees of the Elliott
- Guelph General Hospital Commission
- Guelph Museums Board of Management
- Guelph Non-Profit Housing Corporation
- Heritage Guelph
- Property Standards/Fence Viewers Committee
- River Run Board of Directors

Confidential Information – while the classification of information as “confidential” is a matter of Council discretion whether labeled as confidential or not, disclosure of information will not constitute a breach of the Code of Ethics unless that information is of an inherently confidential nature such as:

- Personal data of employees or others.
- Records related to internal policies and practices, which if disclosed, may prejudice the effective performance of a municipal operation.
- Records of a financial nature reflecting information given or accumulated in confidence.
- Files prepared in connection with litigation and adjudicative proceedings.
- Reports of consultants, draft documents and internal communications, which, if disclosed, may prejudice the effective operation and reputation of the municipality, its officers and employees and its effective operation.

GIFTS AND BENEFITS

No member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his / her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or advance paid to, or a gift or benefit, provided with the member’s knowledge to a member’s spouse, child or parent or to a member’s staff that is connected directly or indirectly to the performance of the member’s duties is deemed to be a gift to that member.

The following are recognized as exceptions:

- a) compensation authorized by by-law;
- b) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- c) a political contribution otherwise reported by law;
- d) services provided without compensation by persons volunteering their time;
- e) a suitable memento of a function honouring the member;
- f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign country;

- g) food and beverages consumed at banquets, receptions or similar events, if:
 - I. attendance is in keeping with his or her representative role;
 - II. the person extending the invitation or a representative of the organization is in attendance; and,
 - III. the value is reasonable and attendance at events sponsored by the same entity is infrequent.
- h) communication to the offices of a member, including subscriptions to newspapers and periodicals.

In the case of categories (b) (e) (f) (g) and (h), if the value of the gift or benefit exceeds \$300, or if the total value received from any one source during the course of a calendar year exceeds \$300, the member shall within 30 days of receipt of the gift or reaching the annual limit, file a disclosure statement with the City Clerk.

The disclosure statement must indicate:

- the nature of the gift or benefit;
- its source and date of receipt;
- the circumstances under which it was given or received;
- its estimated value;
- what the recipient intends to do with the gift; and,
- whether any gift will at any point be left with the City.

Any disclosure statements will be a matter of public record.

Except in the case of category (f), a member may not accept a gift or benefit worth in excess of \$500 or gifts or benefits from one source during a calendar year worth in excess of \$500. No member shall seek or obtain by reason of his / her office any personal privilege or advantage with respect to City Services not otherwise available to the general public and not consequent to his or her official duties.

CONFIDENTIALITY

All information, including documentation or deliberation received, reviewed or taken in closed session of Council and its committees is confidential. Members shall not disclose or release by means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so. Under the Procedural By-law, authorized under section 239 of the *Municipal Act*, where a matter that has been discussed in an in-camera (closed) meeting remains confidential, no member shall disclose the content of the matter, or the substance of deliberations, of the in camera meeting. Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential. Particular care should be exercised in ensuring confidentiality of the following types of information;

- items under litigation, negotiation, or personnel matters;
- information that infringes on the rights of others (e.g., sources of complaints where the identity of a complainant is given in confidence)
- price schedules in contract tender or Request For Proposal submissions if so specified;
- information deemed to be "personal information" under the *Municipal Conflict of Interest Act*; and

- statistical data required by law not to be released (e.g. certain census or assessment data).

This list is provided as an example and is not exhaustive. Requests for information should be referred to appropriate staff to be addressed as either an informal request for access to municipal records or as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

Members of Council should not access or attempt to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and not prohibited by Council policy.

USE OF CITY PROPERTY

No member shall for personal purposes or profit, permit the use of any City property, equipment, services, or supplies other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised, unless such use is permitted by one of the following exceptions:

- Reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the City incurs no additional costs relating to such use, and the use is of limited duration and frequency.
- Use of City property and facilities where such use is universally known to be available to other residents upon request and on equal terms.

No member shall obtain financial gain from the use of City developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Guelph.

No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

WORK OF A POLITICAL OR PERSONAL NATURE

Members are required to follow the provisions of the *Municipal Elections Act, 1996*. No member shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters and websites linked through the City's website) for any election campaign or campaign-related activities. No member shall undertake campaign-related activities in any City facility for the purpose of seeking the support of City employees working in that facility. No member shall use the services of persons for his or her election campaign purposes during the working hours for which those persons receive compensation from the City.

No member shall use City facilities, services or property for his or her personal or business use. No member shall use the services of persons for his or her personal or personal business use during the working hours for which those persons receive compensation from the City.

CONDUCT RESPECTING CURRENT AND PROSPECTIVE EMPLOYMENT

No member shall allow the prospect of her / her future employment by a person or entity to detrimentally affect the performance of his / her duties to the City.

BUSINESS RELATIONS

No member shall act as a paid agent before Council, its committees, or an agency, board or commission of the City except in compliance with the terms of the *Municipal Conflict of Interest Act*. A member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

INFLUENCE ON STAFF

Only Council as a whole has the authority to approve budget, policy, committee processes and other such matters. Members shall be respectful of the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members. Accordingly, no member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of the staff of the City.

Council directs the business of the City and passes by-laws, or resolutions as appropriate, for decisions adopted by Council. Council has delegated responsibility to the Chief Administrative Officer (CAO) for the administration of the affairs of the City in accordance with decisions adopted by Council. This means that under the direction of the CAO staff have the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy. Accordingly, staff establish the appropriate administrative policies, systems, structures and internal controls to implement the goals and objectives of Council, and manage implementation within the resources at their disposal. The Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions. No member shall compel any staff member to engage in activities that are contrary to the directions of Council or the policies of the municipality.

No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity.

IMPROPER USE OF INFLUENCE

No member of Council shall use the influence of his or her office for any purpose other than for the exercise of her or his official duties. Examples of prohibited conduct are the use of one's status as a member of Council to improperly influence the decision of another person to the private advantage of oneself, or one's immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in

which members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a member's supposed influence within Council in return for present actions or inaction.

For the purpose of this provision:

"private advantage" does not include a matter:

- that is of general application;
- that affects a member of Council, his / her immediate relatives, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
- that concerns the remuneration or benefits of a member of Council.