

INFORMATION ITEMS

Week Ending February 24, 2017

REPORTS

1. 2017 Traffic Control Signal Program
2. Source Protection Plan Annual Reporting
3. Closed Meeting Investigation Report from the City's Closed Meeting Investigator re: Closed Meeting of Council for the City of Guelph on December 10, 2015

INTERGOVERNMENTAL CONSULTATIONS

1. Proposed New Water Bottling Charge

CORRESPONDENCE

1. City of Guelph Response to Intergovernmental Consultation re: Proposed Transitional Operating Agreement between the Minister of the Environment and Climate Change and the Resource Productivity and Recovery Authority under the Resource Recovery and Circular Economy Act, 2016
2. Ministry of the Environment and Climate Change re: City Council's Resolution Supporting the Moratorium on Permits to Take Water
3. Guelph Police Services Board Meeting Minutes – January 19, 2017

BOARDS & COMMITTEES

1. None

ITEMS AVAILABLE IN THE CLERK'S OFFICE

1. None

Information Report

Service Area Infrastructure, Development and Enterprise Services

Date Friday, February 24, 2017

Subject **2017 Traffic Control Signal Program**

Report Number IDE 17-28

Executive Summary

Purpose of Report

To provide information regarding the planned 2017 Traffic Control Signal program, including intersections warranted for new traffic control signal installations.

Key Findings

- Growing traffic volumes have resulted in three (3) intersections satisfying Provincial warrants for new traffic control signal installations.
- One pedestrian signal is being installed as identified in the 2005 Guelph Trail Master Plan Report.
- Staff will be proceeding with the removal of the temporary traffic control signal and installation of an All-way Stop control at the intersection of Clair Road and Southgate Drive since construction in the area is now completed.
- The pedestrian signal on Willow Road between the two intersections of Applewood Crescent is being relocated to the west leg of the westerly intersection of Willow Road at Applewood Crescent to address accessibility and mobility concerns.
- Replacement of the City's computerized traffic signal system and communication system is underway.
- Traffic control signal modernization programs are planned at existing traffic control signals to continue working towards full AODA compliance.

Financial Implications

The traffic control signal program is funded through various accounts from the Council approved 2017 Capital Budget. Routine maintenance and ongoing operational costs are funded through the Council approved 2017 Operating Budget.

Report

1.0 New Traffic Control Signal Installations

When traffic control signals are installed after thorough analysis and careful consideration, the results ensure efficient traffic flow, minimize the likelihood of

certain types of collisions and help to prevent unnecessary fuel consumption, delay and driver frustration.

Based on analysis of traffic and collision data, Transportation Services staff is recommending that new traffic control signals be installed in 2017 at the following intersections and funded from capital account TF0014:

- Downey Road at Laird Road (temporary design until final intersection configuration is constructed);
- Watson Parkway North at Eastview Road; and
- York Road at Elizabeth Street (temporary design until final intersection configuration is constructed)

In addition, the 2005 Guelph Trail Master Plan Report identified a midblock pedestrian signal location on Eastview Road between Summit Ridge Drive and Watson Parkway North. There are trail connections on the north and south side of Eastview Road with the Laura Bailey Memorial Trail to the south and trails through the Eastview Pollinator Park to the north. This pedestrian signal would be installed as part of the Eastview Road reconstruction project.

1.1 Traffic Control Signal Warrants

The Ministry of Transportation of Ontario (MTO) traffic control signal warrant guidelines use the following warrants to determine when a traffic control signal is warranted:

- Warrant 1 – Minimum eight hour vehicle volume
- Warrant 2 – Delay to cross traffic
- Warrant 3 – Combination volume/delay
- Warrant 4 – Minimum four hour volume
- Warrant 5 – Collision warrant
- Warrant 6 – Pedestrian volume and delay warrant
- Warrant 7 – Projected volumes

Warrants 4 and 7 are recent additions to the MTO traffic control signal warrant guidelines. Staff will be submitting a report to Council with information regarding whether or not adoption of these two additional warrants is appropriate.

An intersection is considered warranted for the installation of a traffic control signal when any of the following criteria is met:

- Warrant 1 – Minimum eight hour vehicle volume is satisfied 100%
- Warrant 2 – Delay to cross traffic is satisfied 100%
- Warrant 3 – Combination volume/delay; if warrants 1 and 2 both satisfied 80% or greater
- Warrant 5 – Collision warrant is satisfied 100% (15 or more collisions reported over 36 month period correctable by installation of a traffic signal)
- Warrant 6 – Pedestrian volume and delay warrant is satisfied 100%

1.2 Listing of Intersections Studied for Traffic Control Signals

Staff annually updates a list of non-signalized intersections in the City that have been assessed for the installation of traffic control signals. The current Traffic Control Signal Review list is Attachment 1.

2.0 Traffic Control Signal Removal

To accommodate the construction of an interchange for the intersection of Hanlon Expressway (Highway 6) at Laird Road, a temporary traffic signal was installed at the intersection of Clair Road and Southgate Drive to accommodate detouring traffic.

The Hanlon Expressway at Laird Road interchange has been fully open since November, 2013. Traffic patterns in the vicinity of the interchange have since stabilized. Traffic and pedestrian data was gathered at this intersection in October 2015 and the data shows the current volumes no longer satisfy the requirement of a traffic control signal for this intersection.

Staff will be proceeding with the removal of the temporary traffic control signal and installation of an All-way Stop control for all approaches, following the recommended procedures for traffic control signal removal outlined within the *ITE (Institute of Transportation Engineers) Recommended Practice for the Removal of Traffic Signal Control Systems* guideline. A full outline of the recommended practice is included as Attachment 2.

3.0 Traffic Control Signal Modernization

Traffic control signal modernizations, which often include a complete reconstruction of all traffic control signal infrastructure, will be completed at 2-3 intersections in 2017, funded through capital account TF0004. The approved funding for this account in 2017 is \$300,000. The exact locations have not yet been finalized as field assessments are ongoing. Intersections under consideration for modernization are:

- Woolwich Street at Powell Street (complete reconstruction)
- Macdonell Street at Wellington Street/Woolwich Street (half of this intersection was reconstructed in 2014)
- Paisley Road at Alma Street (complete reconstruction)

4.0 Pedestrian Signal Relocation

The pedestrian signal on Willow Road between the two intersections of Applewood Crescent is being relocated to the west leg of the westerly intersection of Willow Road at Applewood Crescent to address accessibility and mobility concerns. Attachment 3 provides a visual concept of the existing and proposed new location.

High volume of pedestrians using mobility devices live at 238 Willow Road. To cross Willow Road, these pedestrians are required to travel east on the curb face sidewalk on the south side Willow Road that at driveway locations slopes severely towards Willow Road due to the grade on the south side of Willow Road. As a result of the severe grade, relocation of the sidewalk away from the roadway is not feasible.

The relocation of the pedestrian signal to the west leg of the westerly Willow Road at Applewood Crescent intersection provides for safer and more direct pedestrian access to the commercial plazas concentrated at the Willow Road/Silvercreek Parkway North intersection. Data collection from the existing pedestrian signal location indicates the majority of pedestrians' origin/destination is to the west of the existing pedestrian signal location.

The existing pedestrian signal would be decommissioned and removed upon activation of the new pedestrian signal. The accessibility ramp on the north side of Willow Road at the existing signal location would also be removed.

5.0 Replacement of Computerized Traffic Signal System

The City is procuring and installing a new computerized traffic signal system by the end of September 2017. The existing traffic signal system technology is at the end of its lifecycle. The City will also be replacing the communication system used to transfer data between the computers at the Operations Yard and the field.

The existing communication infrastructure relies heavily on Bell leased data lines, which is old technology requiring regular maintenance. The proposed communication plan will remove the reliance on Bell data lines and use City installed fibre optic cables and/or cellular communication.

It is anticipated by the end of 2017 a number of critical arterial corridors (specifically Gordon Street) will be transferred onto the new computerized traffic signal system using fibre optic cables for communication. This process will significantly increase the reliability of signal timing in the field which will result in improved traffic flow conditions.

6.0 Light Emitting Diodes (LED) Traffic Control Signal Lens Replacements

A tender has been awarded to complete the replacement of LED in all traffic control signals by the end of 2017, funded through capital account TF0007. The initial LED retrofit of traffic control signal lenses from incandescent bulbs was completed in 2006. The LED are reaching the end of their lifecycle and this program will replace the LED for another expected lifecycle of 8-10 years. LED technology has proven to reduce energy consumption and costs.

7.0 Accessible Pedestrian Signals

To meet the requirements of the AODA (Accessibility for Ontarians with Disabilities Act, 2005), all new or reconstructed traffic and pedestrian signals must have

accessible pedestrian signals (APS) installed. Accessible pedestrian signals have features to assist pedestrians who are visually and hearing impaired.

Funding has been approved in the amount of \$168,000 in 2017 through capital account TF0009 and future funding has been identified to complete a city-wide installation of APS with locations prioritized through the City's Accessibility Committee. The proposed list of 2017 installations is included as Attachment 4.

8.0 Pedestrian Countdown Signals

Pedestrian countdown signals (PCS) provide supplementary information to pedestrians indicating the amount of time remaining during the "Flashing Don't Walk" phase. Funding has been provided in 2017 in the amount of \$135,000 and requested for 2018 through capital account TF0010. The funding levels currently provided and requested do not provide for all traffic control signals to include the PCS feature.

Implementation of PCS will be prioritized to address high pedestrian volume intersections first. The proposed list of 2017 PCS installations are identified in Attachment 5.

Financial Implications

All planned traffic control signal related work for 2017 is within the approved Capital Budget for the various traffic control signal related accounts.

The estimated costs for the new traffic signal installations are:

Downey Road at Laird Road:	\$50,000
Watson Parkway North at Eastview Road:	\$80,000
York Road at Elizabeth Street:	\$50,000
Eastview Road at Trail Crossing:	\$30,000

The estimated cost for the Clair Road at Southgate Drive traffic signal removal and all-way stop installation is \$7,000.

The estimated cost for the Willow Road/Applewood Crescent pedestrian signal relocation is \$40,000.

Including all of the planned work identified in the items above, over \$1,500,000 will be spent on traffic control signals in 2017.

Consultations

City of Guelph Public Works staff and the Accessibility Advisory Committee provided input to this report.

All information will be communicated using media releases and posts on social media platforms.

Corporate Administrative Plan

Overarching Goals

Service Excellence
Innovation

Service Area Operational Work Plans

Our Services - Municipal services that make lives better
Our People- Building a great community together
Our Resources - A solid foundation for a growing city

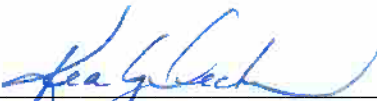
Attachments

- ATT-1 Traffic Control Signal Monitor List
- ATT-2 ITE Recommended Practice for the Removal of Traffic Control Signal Systems
- ATT-3 Willow Road at Applewood Crescent Pedestrian Signal Relocation
- ATT-4 Proposed Accessible Pedestrian Signal Installation Locations
- ATT-5 Proposed Countdown Pedestrian Signal Installation Locations

Departmental Approval

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**Attachment 1
Traffic Control Signal Monitor List**

Location	Year When Data Collected	Warrant Percentages			
		1	2	3	5
Gordon/Surrey	2016	78	98	0	73
Imperial/Massey	2014	95	77	0	27
Watson/Speedvale	2016	81	52	0	53
Stone/Watson	2014	90	65	0	27
Woodlawn/Arrow	2014	61	68	0	40
Willow/Marksam	2014	68	68	0	27
Goodwin/Farley	2014	73	47	0	33
Wyndham/Surrey	2016	74	55	0	20
Scottsdale/Ironwood	2014	68	49	0	27
Downey/Niska	2016	51	92	0	0
Stevenson/Cassino	2005	75	59	0	7
Downey/Woodland Glen	2014	49	82	0	7
Edinburgh/Suffolk	2012	66	71	0	0
Speedvale/Metcalf	2014	66	56	0	14
Scottsdale/Cole	2015	67	61	0	7
Elmira/Independence	2016	56	64	0	14
Delhi/Emma	2012	68	51	0	14
Silvercreek/Curtis	2015	56	70	0	7
Speedvale/Lewis	2015	33	67	0	20
Gordon/Maltby	2015	50	65	0	7
Woodlawn/Michener	2014	56	58	0	7
College/Caledonia	2012	50	68	0	0
Paisley/Glasgow	2014	47	57	0	14
Grange/Auden	2016	53	57	0	7
London/Yorkshire	2015	49	67	0	0
Stevenson/Emma	2016	39	56	0	20
Eramosa/Arthur	2015	40	73	0	0
Stone/Evergreen	2012	60	52	0	0
Silvercreek/Westwood	2016	41	48	0	14
Watson/Starwood	2016	64	38	0	0

Warrant 1: Minimum Vehicle Volume (if 100% satisfied, traffic signal installation is warrant)

Warrant 2: Delay to Cross Traffic (if 100% satisfied, traffic signal installation is warranted)

Warrant 3: Combination Justification (if Warrants 1 and 2 are both 80% or greater, traffic signal installation is warranted)

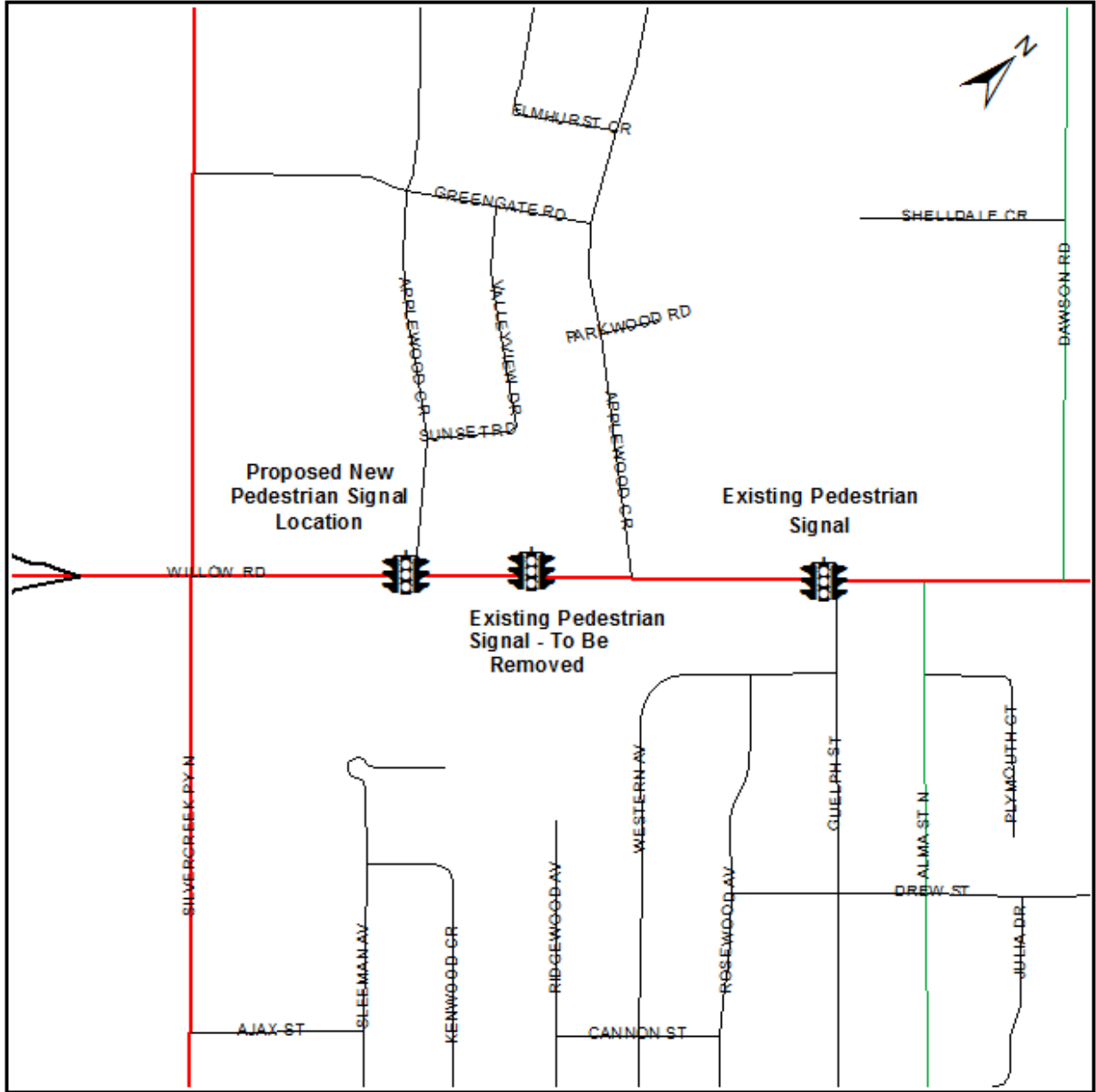
Warrant 5: Motor Vehicle Collision (total of 15 collisions over a 3 year period correctable by installation of a traffic signal. If 100%, traffic signal installation is warranted).

Attachment 2
ITE Recommended Practice for the Removal of
Traffic Control Signal Systems

1. Install informational signs with the legend TRAFFIC SIGNAL TO BE DEACTIVATED, WITH A DATE, AND CONTACT INFORMATION FOR INQUIRIES at the signalized location in a position where they are visible to all road users;
2. Guelph Police Services to be present at the intersection when signals are deactivated (heads covered);
3. Cover the signal heads for a minimum of 90 days, and install the stop control for all intersection approaches; and
4. If after 90 days and the appropriate studies are concluded and there are no issues with the change in traffic control, the traffic signals will be removed.

Additionally public notification will be provided in consultation with the City of Guelph Communications Department for posting on social media, newspaper, website and radio.

Attachment 3 Willow Road at Applewood Crescent Pedestrian Signal Relocation



**Attachment 4
Proposed Accessible Pedestrian Signal Installation Locations**

1	Wyndham Street North at Carden Street
2	Norfolk Street at Macdonell Street
3	Norfolk Street/Gordon Street at Waterloo Avenue/Wilson Street
4	Woodlawn Road at Woolwich Street
5	Gordon Street at Wellington Street
6	Gordon Street at Fountain Street
7	Eramosa Road at Stevenson Street North
8	Eramosa Road at Meyer Drive
9	College Avenue West at Janefield Avenue
10	Victoria Road North at Grange Road/Joseph Street
11	Gordon Street at Clair Road
12	Clair Road West at Clairfields Drive West/Poppy Drive West
13	Paisley Street at Dublin Street North
14	Gordon Street at Harvard Road
15	Gordon Street at Kortright Road
16	Gordon Street at Edinburgh Road South
17	Gordon Street at Arkell Road
18	Stone Road West at Research Lane
19	Woodlawn Road East at Speed River Trail
20	Victoria Road North at Woodlawn Road East

Attachment 5
Proposed Countdown Pedestrian Signal Installation Locations

1	Gordon Street at College Avenue
2	Gordon Street at University of Guelph pedestrian crossing
3	Paisley Street/Paisley Road at Norfolk Street
4	College Avenue at University of Guelph pedestrian crossing
5	Macdonell Street at Carden Street (Transit Terminal)
6	Paisley Road at Alma Street North
7	Wyndham Street North at Carden Street
8	Stone Road West at Scottsdale Drive
9	Wellington Street at Gordon Street
10	Gordon Street at Waterloo Avenue
11	Stone Road West at Research Lane
12	Willow Road at Westwood Road
13	Woolwich Street at Eramosa Road/Wyndham Street North
14	Paisley Street at Dublin Street North
15	Gordon Street at Fountain Street
16	Norfolk Street at Macdonell Street
17	Eramosa Road at Stevenson Street North
18	Woolwich Street at London Road
19	Edinburgh Road South at Stone Road Mall access
20	Imperial Road South at Stephanie Drive
21	South Ring Road at University of Guelph pedestrian crossing (westerly)
22	South Ring Road at University of Guelph pedestrian crossing (easterly)
23	East Ring Road at University of Guelph pedestrian crossing
24	Woodlawn Road East at Speed River pedestrian crossing
25	Eramosa Road at Meyer Road
26	Victoria Road North at Delta Street pedestrian crossing
27	Willow Road at Guelph Street pedestrian crossing
28	Scottsdale Drive at Priory Public School pedestrian crossing
29	Imperial Road South at St. Francis Catholic School pedestrian crossing
30	Westwood Road at St. Peter's Catholic School pedestrian crossing
31	Ptarmigan Drive at Merganser Drive pedestrian crossing
32	Grange Road at Buckthorn Crescent pedestrian crossing
33	College Avenue at Vanier Drive pedestrian crossing
34	Waterloo Avenue at Yorkshire Street South pedestrian crossing
35	Victoria Road North at St. Patrick's Catholic School pedestrian crossing
36	Speedvale Avenue East at Stevenson Street North
37	Clair Road West at Poppy Drive/Clairfields Drive West
38	Victoria Road North at Grange Road/Joseph Street
39	Willow Road at Silvercreek Parkway North
40	Eramosa Road at Metcalfe Street

Information Report



Service Area Infrastructure, Development and Enterprise Services

Date Friday, February 24, 2017

Subject Source Protection Plan Annual Reporting

Report Number IDE 17-40

Executive Summary

Purpose of Report

To provide the first set of annual reports required under Section 81 of the Clean Water Act as provided to the Lake Erie Source Protection Authority including a summary of the Source Water Protection Program accomplishments in 2016 and the next steps for program implementation.

Key Findings

In accordance with Section 81 of the Clean Water Act, 2006, two annual reports were delivered to the Lake Erie Source Protection Authority on February 1, 2017. These include Risk Management Office Report and the Municipal Implementation Report.

The City is the primary implementing body for 48 of the 72 policies with the remaining policies to be implemented by provincial ministries. As of February 1, 2017, 21 of the 48 policies have been fully implemented, based on a priority basis or deadline. Progress is underway on the remaining policies.

Staff are continuing to work collaboratively with municipal partners in the development and refinement of the LSWIMs (Lake Erie Sourcewater Information Management system) which is being used to manage the information management aspects of the program.

For 2017, staff will continue to work on threat verification for properties identified as significant drinking water threats in the Approved Assessment Report (2012). Other initiatives will include the evaluation of risk management measures for water quantity and the development of water quantity policies in consultation with the City's neighbouring Townships, under the Tier 3 Water Quantity Study and the development of education and outreach programs that are required under the Approved Grand River Source Protection Plan.

Financial Implications

All related work funded by the City has been and will continue to be funded through the approved Water Services Capital budget.

Report

The Clean Water Act (2006) established a process to create locally-developed Source Protection Plans for each watershed in Ontario. The Grand River Source Protection Plan contains policies to protect City of Guelph's drinking water sources and became effective on July 1, 2016. The Risk Management Official and Risk Management Inspector were appointed under subsection 47(6) of the Clean Water Act on May 27, 2016.

The City of Guelph is the implementing body responsible for a range of Source Protection Plan policies, from negotiating Risk Management Plans (RMPs) to providing education and outreach. The City of Guelph is required under the Clean Water Act to provide an update on the status of implementation of these policies to the Source Protection Authority by submitting two reports annually:

- **2016 Risk Management Official Annual Report (Attachment 1) -**
<http://guelph.ca/living/environment/water/source-water-protection-program>
This report focuses on the implementation of the policies under the jurisdiction of the City's Risk Management Official.
- **2016 Municipal Implementation Report (Attachment 2) -**
<http://guelph.ca/living/environment/water/source-water-protection-program>
This report focuses on the policies that the City is required to implement, including but not limited to, septic inspections, planning approval and building permit processes, and municipal operations.

The Grand River Source Protection Plan became effective on July 1, 2016, and as such, this is the first time that the City has submitted these implementation reports. The report content and annual timeframe for the Risk Management Official is set by regulation under the Clean Water Act. For the municipal report, the Minister of the Environment and Climate Change's approval letter for the Grand River Source Protection Plan requires the report from the Source Protection Authority to be submitted to MOECC by May 1, 2019. The 2016 reports contained herein are being submitted to the Source Protection Authority to help pilot and fine-tune the reporting process.

The annual reporting framework developed by MOECC, excluding that of the regulation-requirements of the Risk Management Official, consists of a total of 49 questions that will provide information from municipalities, Source Protection Authorities and provincial agencies with implementation responsibilities. A total of 18 questions or parts of questions are directed at the City of Guelph.

City's implementation approach focuses on highest priorities

The Grand River Source Protection Plan policies affect hundreds of properties within the City of Guelph and with current staff resources; full implementation will take approximately ten years. Therefore, to protect our water sources, the first six months of implementation focused on the following highest priorities:

- **Screening of planning and building permit applications:** On July 1, 2016, new processes and procedures were initiated to assess development (planning and building permit) applications for significant drinking water threats. This process is required under the Clean Water Act and staff are monitoring the process to ensure compliance and efficiency.

- **Negotiating Risk Management Plans for proposed activities:** Six of the development applications screened between July 1 and December 31, 2016 required the development of a Risk Management Plan due to activities that were considered significant drinking water threats. A Risk Management Plan requires and commits applicants to manage prescribed threat activities in ways that will protect local drinking water sources.
- **Preparing to negotiate Risk Management Plans for existing activities:** Staff are developing the action plan, including forms and schedules, to begin negotiating Risk Management Plans for existing activities. Properties will be prioritized based on their proximity to a municipal well and the type of threat activity present. This component of the program will begin in early 2017.

Summary of implementation highlights

Given that the City of Guelph is only six (6) months into a long-term program, many of the responses noted in the attachments indicate limited progress on implementation. Progress regarding implementation to date includes:

- Council appointed the Risk Management Official and Risk Management Inspector on May 27, 2016. These positions enable the City of Guelph to implement all of the Part IV powers, under Section 47(6) of the Clean Water Act.
- Council approved a full time Source Water Protection Program Coordinator position for the 2017 budget. This position was justified based on the current and projected workload associated with program implementation.
- The City has developed an Information Sharing Process in consultation with the Ministry of the Environment and Climate Change to facilitate exchange of information related to Condition Sites (properties that are significant drinking water threats resulting from past activities i.e. contaminated sites). This addresses Grand River Source Protection Plan Policy CG-NB-1.19.
- The City partnered in the development of an information management system, culminating in a signed Collaboration Agreement between: City of Guelph, Municipalities in Wellington County, Oxford County, Upper Thames River Conservation Authority and the Grand River Conservation Authority.
- Staff met monthly with representatives from Wellington County and Halton Region to ensure program coordination and implementation.
- The screening of development applications and building permit applications has included the successful review of 225 applications between July 1 and December 31, 2016.
- Staff from Building Services have undertaken 37 mandatory septic system inspections in well head protection areas as required under the Building Code. The compliance date for completing this work is September 2017 and it is anticipated that the remaining properties will be inspected within this timeframe.
- The City of Guelph and Guelph-Eramosa Township Tier 3 Water Budget and Water Quantity Risk Assessment has been completed and the results will soon be available to the public and posted to the Grand River Source Protection Region website. The evaluation of water quantity risk management measures has been initiated and will be completed in 2017 and the development of water quantity policies will be initiated in 2017.

- As per the plan, the implementation of Source Protection Plan policies for properties where only education and awareness policies apply will not be fully implemented until 2021. Preliminary internal scoping meetings are scheduled for Q1 of 2017.

A summary of progress for each policy is provided in Attachment 3

Next Steps

Source Water Protection staff will be carrying out on-site inspections of businesses that were originally flagged as significant drinking water threats in the Approved Assessment Report (2012). A desktop review was conducted in 2010 to provide an initial inventory of potential significant drinking water threats and was conservative in the approach taken to enumerate the threats. Staff will be carrying out on-site inspections on a priority basis with properties closest to the City's municipal wells being addressed first to confirm the details from the initial inventory. It is expected that the total number of significant drinking water threats identified in 2010 will be reduced as a result of the field confirmations that will take place in 2017.

The Risk Management Official will continue to negotiate Risk Management Plans that are required under the Clean Water Act. This will be identified during the development application and building permit stages for new development, and as identified during the field confirmations noted above.

Source Water Protection Program staff working with the Source Protection Authority and County of Wellington will advance the development of water quantity policies using priority rankings, risk management measures, stakeholder consultation and public communications with the goal of submitting draft policies to the MOECC in 2018.

Source Water Protection Program staff will also undertake with Communications and Water Services staff, the development of the various Education and Outreach programs that are required under the Grand River Source Protection Plan.

Financial Implications

All Source Water Protection Program work funded by the City has been and will continue to be funded through the approved 2017 Water Services Capital budget.

Consultations

The MOECC developed the annual report templates in consultation with stakeholders involved in the program from across the province. The City of Guelph participated in several Lake Erie Source Protection Region Implementation Working Group sessions providing input and feedback on the prototype annual report template.

Corporate Administrative Plan

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Our Resources - A solid foundation for a growing city

Attachments

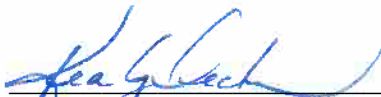
- ATT-1 Risk Management Official Annual Report - the full report is available on the City's website at:
<http://guelph.ca/living/environment/water/source-water-protection-program>
- ATT-2 Municipal Annual Report – the full report is available on the City's website at: <http://guelph.ca/living/environment/water/source-water-protection-program>
- ATT-3 Summary of Implementation Progress - available on the City's website at: <http://guelph.ca/living/environment/water/source-water-protection-program/source-water-protection-program-resources/>

Departmental Approval

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**REPORT TO
THE CORPORATION OF THE CITY OF GUELPH REGARDING
THE INVESTIGATION OF AN ALLEGED
IMPROPERLY CLOSED MEETING OF COUNCIL
FOR THE CITY OF GUELPH
ON DECEMBER 10, 2015**

COMPLAINT

The Corporation of the City of Guelph (“Municipality”) received a complaint about a Closed Meeting of Council (“Council”) held on December 10, 2015. The essence of the complaint is that Council went into a closed meeting without proper notice and the purpose of the meeting did not meet the requirements of the *Municipal Act, 2001*¹, as amended by Bill 130² (“*Municipal Act*” or “*Act*”).

This closed meeting complaint was sent to the offices of Amberley Gavel Ltd. (“Amberley Gavel”) for investigation.

JURISDICTION

The City appointed Local Authority Services (LAS) as its closed meeting investigator pursuant to section 239.2 of the *Municipal Act*.

LAS has delegated its powers and duties to Amberley Gavel to undertake the investigation and report to Municipal Council.

BACKGROUND

Section 238 of the *Municipal Act* requires that every municipality and local board pass a procedure by-law. Section 238 reads in part as follows:

238. (2.1) The procedure by-law shall provide for public notice of meetings. 2006, c. 32, Sched.A, s.102(3).

Section 239 of the *Municipal Act* provides that all meetings of a municipal council, local board or a committee of either of them shall be open to the public. This requirement is

¹ S.O. 2001, c. 25.

² *Bill 130: An Act to amend various Acts in relation to municipalities*, S.O. 2006, c. 32 (“Bill 130”).

one of the elements of transparent local government.

Section 239 sets forth exceptions to this open meetings rule. It lists the reasons for which a meeting, or a portion of a meeting, may be closed to the public. The section confers discretion on a council or local board to decide whether or not a closed meeting is required for a particular matter. It is not required to move into closed session if it does not feel the matter warrants a closed session discussion unless there is a statutory direction to do so...

Section 239 reads in part as follows:

Meetings open to public

239. (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act. 2001, c. 25, s. 239 (2).

INVESTIGATION

Documents reviewed during the course of the investigation included the Agenda and Minutes and supporting documents for the Council Meeting on December 10, the relevant Procedural By-Law, audio-video archive of the Council Meeting, copy of the newspaper notice, copy of the screenshot of the City’s website notice, and other relevant documentation.

The Clerk (“Clerk”) was consulted during the course of the investigation.

FACTS AND EVIDENCE

The Complaint

The complaint alleges that Council held an improper closed meeting on December 10, 2015, the second day of a two-day meeting of Council that started on December 9 and continued on December 10, 2015 regarding the annual budget. The complaint alleges that during the second day, in the course of the open meeting, Council improperly moved into closed session without providing proper notice, and without revealing the purpose of the closed meeting. The complaint alleges that the issues discussed while in closed session did not fall within the listed possible exceptions from open meetings, contrary to Section 239(1) of the *Municipal Act*.

Council Budget Meeting Notice

The City of Guelph Procedural By-law, By-law Number (2015) – 19938 provides as follows:

2.3 Public Notice of Meetings

(a) Staff shall give public notice of all regular open and closed Council and Standing Committee Meetings by:

- i. Inclusion on the City's website at least 72 hours prior to the Meeting,*
- ii. Posting in City hall at least 72 hours prior to the Meeting; and*
- iii. Publication in a local newspaper at least 72 hours prior to the meeting.*

The notice published in the local newspaper³, advised of a Council Meeting on December 9, 2015 at 5 p.m. to consider the 2016 Budget. The newspaper was published on November 26, 2015. By November 26, the date the newspaper was published, it was apparent to the Clerk that the meeting might go over two days. To provide for this eventuality, notice on the City's website was updated November 26, 2015 to indicate "Council Budget Night December 9 & 10, 2015".

The last item listed on the Agenda for the Council Budget meeting was recommendation #8: the 2016 Non-Union Compensation Adjustment.

The meeting was a lengthy one. Just before 11 p.m., Council resolved to extend the meeting to 11:59 p.m. (noted at item 53 of the Minutes of December 9).

The Procedural By-law provides as follows regarding extending meetings beyond automatic adjournment at 11:00 p.m.:

21. Adjournment

21.1 The Council shall adjourn at 11:00 p.m. if in session at that hour, unless otherwise decided before that hour by a two-thirds vote of the members present. If the Council is adjourned at 11:00 p.m., before the agenda is completed, Council shall establish a time and date for consideration for the balance of the agenda.

³ Guelph Tribune, Thursday November 26, 2015, page 8

21.2 *Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.*

As midnight approached on December 9, and the complete agenda had not yet been reached, Council voted to suspend the Procedural By-law to allow the meeting to extend beyond 11:59 p.m. (noted as item 67 in the Minutes of December 9).

The Procedural By-law provides as follows regarding suspension of the rule:

31. General Rules

31.1 No provision of this By-law shall be suspended except by affirmative vote of at least two-thirds of the Members present for each incidence of suspension of the rules.

The meeting then continued for another hour and forty minutes, until 1:40 a.m. when a motion to approve the budget was defeated (noted as item 76 in the Minutes of December 9). At that time, the meeting was recessed until 6 p.m. the following evening, December 10, 2015.

Council Budget Meeting Continued December 10

The Council meeting of December 10 was a continuation of the December 9, 2015 deliberations of the 2016 Tax Supported Operating Budget. Since the budget motion had already been defeated just prior to the recess, it was necessary to reconsider the matter or else adjourn to another date.

Reconsideration of a Matter

The Procedural By-law provides as follows regarding reconsideration:

16. Reconsideration

16.1 (a) Council may reconsider an entire resolution that was decided during any term of Council. ...

16.2 (a) A motion to reconsider shall be introduced by way of a Notice of Motion to Council and considered as a Special Resolution at a subsequent regular meeting of Council pursuant to Section 19 of this By-law.

A decision was made, by motion, to suspend Section 16 of the Procedural By-law in its entirety, in order to allow Council to re-open the budget decisions of the previous day's portion of the meeting and to enable Council possibly to conclude the budget deliberations on December 10.

At 8:45 p.m. Council reached the matter identified as the 2016 Non-Union Compensation Adjustment recommendation. This is identified as Item #8 of the 2016 Tax Supported

Operating and Capital Budgets recommendations on the Agenda of the Council Meeting of December 9, 2015.

Council resolved into closed session, citing s.239(2)(d) of the *Municipal Act* with respect to labour relations or employee negotiations.

Following a brief closed session, Council resumed in open and shortly thereafter, Council approved the 2016 non-union compensation adjustment (noted as Part 4 of Item 24 in the Minutes of December 10.)

FINDINGS

Notice

The non-union compensation adjustment was noted on the Agenda for the Council Budget meeting that began December 9, 2015. Prior to excluding the public, a motion was passed noting that Council was expected to go into closed session under s.239(2)(d) of the *Municipal Act* with respect to labour relations or employee negotiations, in particular, the 2016 Non-Union Compensation.

s.239(2)(d) ~ labour relations or employee negotiations

It has been determined in numerous closed meeting investigations that compensation matters relating to the municipality's non-unionized workforce fall within the exception for "labour relations or employee negotiations"⁴ and that discussions about salary increases for non-unionized staff fall within this exception.⁵

Continuation of December 9 Meeting on December 10

Notice on the website indicated that the Council Budget meeting was scheduled for December 9 & 10, 2015. By the time it became clear the budget meeting might not conclude on a single evening, it was too late to change the newspaper notice (published November 26). Such are the constraints of traditional newspapers as a vehicle for communicating up-to-date information to the public. However, the City's website was adjusted to reflect that the budget meeting was now scheduled for two days. It is clear that anyone following the budget deliberations at the meeting would have been aware the meeting was to be continued on December 10, 2015.

We note that the City's current Procedural By-law, revised early in 2016, now requires notice by posting in City Hall and inclusion on the City's website but provides that publication in a local newspaper is optional. This is a direction many municipalities are moving in, utilizing technology and recognizing the disappearance of daily local newspapers.

⁴ Ombudsman of Ontario, *Investigation into whether members of council for the Township of Leeds and the Thousand Islands held improper closed meetings* (November 2013) at para 82.

⁵ Ombudsman of Ontario Letter to City of Timmins (9 April 2014) at 6.

There is no specific provision in the Procedural By-law to recess a meeting from one day to the next. A recess usually refers only to taking a short break during the day. Nevertheless, a recess may be appropriate as a device to conclude proceedings at the end of Day 1 of a Two-day meeting, such as occurred at the budget meeting of December 9 & 10, 2015.

The Procedural By-law makes it clear that no meeting is contemplated to extend beyond 11:59 p.m. It may be desirable to consider provision in the Procedural By-law for a recess, where multi-day budget meetings may be contemplated. Consideration should be given as to whether an automatic conclusion at 12:00 or 12:30 a.m. – a “hard stop” which cannot be waived by suspending the rules, should be provided for. It is acknowledged that it can be understandably difficult to resist going ‘just a little longer’ – but continuing to 1:40 a.m. is rarely ideal.

We are generally concerned with the provision in procedure by-laws that allows for the “suspension of rules”, regardless of the support required to enact a suspension. The public should expect that it can rely on the adopted rules of procedure in municipal decision making. Relying on a by-law’s provision that sets out due process, and then finding that Council simply voted to suspend that process, can defeat transparency in the view of the public.

CONCLUSIONS

Based on all of the foregoing, Amberley Gavel has concluded that Council did not breach the provisions of the *Municipal Act* when it went into closed for consideration of the non-union compensation adjustment on December 10 as part of the Council budget meeting of December 9 & 10, 2015.

RECOMMENDATIONS

Although a Council meeting can take place over two days, it may be desirable to state in the Procedural By-law that such meetings may recess at the conclusion of day one and continue on day two if the scheduled business is not completed. Consideration should also be given to the desirability of a non-waivable end time for meetings, and the elimination or severe restriction of circumstances where rules might be suspended.

PUBLIC REPORT

We received full co-operation from the Clerk at the City of Guelph.

This report is forwarded to the Council of the City of Guelph. The *Municipal Act* provides that this report be made public. It is suggested that the report be included on the agenda of the next regular meeting of Council or at a special meeting called for the purpose of receiving this report prior to the next regular meeting.

Nigel Bellchamber

On behalf of
Amberley Gavel Ltd.

Provincial/Federal Consultation Alert							
Title	Ministry	Consultation Deadline	Summary	Proposed Form of Input	Rationale	Lead	Link to Ministry Website
Proposed New Water Bottling Charge	Ontario Ministry of the Environment and Climate Change (MOECC)	March 20, 2017	<p>An ER notice has been posted, proposing a new water bottling charge for facilities that use groundwater under a Permit To Take Water for producing bottled water packaged in portable containers.</p> <p>The charge will allow the province to recover costs related for the management of groundwater takings by water bottling facilities, and will help increase public confidence in how the Ministry regulates groundwater takings by these facilities.</p> <p>The current charge is \$3.71 per million litres. The new charge will commence on August 1, 2017 and be set at \$500 per million litres (and will be subject to periodic review).</p>	Staff comments will be submitted on the online Environmental Registry (EBR) and provided to Council via the Information Package following the consultation deadline.	<p>Staff technical comments on the proposed water bottling charge will be consistent with those provided recently to the MOECC RE: EBR Posting 012-8783 Moratorium on Water Bottling Permits (Staff Report CAO-I-1610, dated November 28, 2016).</p> <p>As proposed, staff does not anticipate the new charge will directly impact the municipal water utility or its customers.</p> <p>Guelph's future municipal groundwater takings may be in competition with the water taking of local water bottling operations located outside the municipality.</p> <p>If interested, Council and community members can submit comments directly to the Environmental Registry.</p>	Environmental Services	https://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTMxNTQw&statusId=MTk5NDkw&language=en



February 23, 2017

Lisa Kingsmore
Senior Policy Analyst
Ministry of the Environment and Climate Change
Climate Change and Environmental Policy Division
Resource Recovery Policy Branch
40 St. Clair Avenue West, Floor 8
Toronto ON M4V 1M2

Dear Ms. Kingsmore:

**Re: EBR Registry Number 012-9381
Proposed Transitional Operating Agreement between the Minister of the
Environment and Climate Change and the Resource Productivity and Recovery
Authority under the Resource Recovery and Circular Economy Act, 2016
("Operating Agreement")
EBR Registry Number 012-9381**

The following comments are in response to the Minister's invitation for further dialogue on Ontario's Environmental Bill of Rights Registry No. 012-9381 – Proposed Transitional Operating Agreement between the Minister of the Environment and Climate Change and the Resource Productivity and Recovery Authority under the RRCEA, 2016. We would like to take this opportunity to thank the Ministry for the invitation to participate in this important discussion and offer these comments to ensure that matters in the public interest are addressed.

As an early adopter of waste diversion as a core and responsible waste management strategy and having successfully attained some of the highest diversion rates in the province over the past 20 years, the City of Guelph wants to ensure that the transition happens as efficiently as possible and does not detrimentally impact municipal achievements in the level of service provided, or result in increased municipal costs. To achieve these goals a transparent and open Authority that serves the public interest is essential to its success.

With diversion as its core strategy the City has approximately 120 employees providing comprehensive waste management services to the citizens of the City of Guelph. The City has invested in a state of the art waste collection fleet, material recovery facility, organic waste processing facility and provides public drop-off and household hazardous waste drop-off services as well as various reuse and diversion programs. These programs are planned, integrated and award winning, providing cost effective solutions to taxpayers of the City. Moving forward, municipal governments have a key role to play in waste reduction and resource recovery.

GENERAL COMMENTS

The Operating Agreement in Section 6 outlines the respective roles and responsibilities of the parties (the Minister and the Authority). However, the Operating Agreement continues to be silent with respect to consultation with municipalities. Municipal governments are a key stakeholder in the provision of waste reduction and resource recovery and continue, at this time, to have the legislative duty to provide Blue Box services. The Operating Agreement needs to incorporate provisions acknowledging consultation along with the consistent sharing of information with municipalities.

The City supports the inclusion of a new schedule (Schedule “F”), as proposed by AMO/RPWCO/MWA/Toronto, an idea of open and transparent sharing of information by clearly identifying those documents, policies, information and other Reports that are required to be posted on the Registry:

- a. Authority’s business plan;
- b. Skills profile of current Board members, identifying any real or perceived conflicts of interest;
- c. Annual Reports;
- d. Procedure/policy for dealing with complaints;
- e. Dispute resolution process;
- f. Minutes of Board of Directors’ meetings;
- g. A copy of any by-laws, policies, or rules and/or other tools that establish appropriate performance measurements, governance and financial management processes;
- h. An Annual Report summarizing all complaints received by the Authority and a summary as to how they have been dealt with under the Authority’s complaint procedure;
- i. Any compliance auditing and a consolidated list of enforcement activities;
- j. A list of public consultation processes and a summary of the outcome;
- k. Access and privacy code;
- l. Code of Conduct for Members of the Board;
- m. Briefing notes for Authority meetings with stakeholders of interest to the Ministry;
- n. Risk-based compliance and enforcement framework;
- o. Reports, reviews and Records relating to the adequacy and effectiveness of the risk-based compliance and enforcement framework on the Registry;
- p. Any other Records created by the Authority and submitted to the Ministry;
- q. Response to information requests made by the Minister or Ministry of the Authority; and,
- r. Annual summary of prosecutions and fines imposed by the Authority.

In addition, the City encourages the Authority to continue monthly update teleconferences, open to all, similar to those introduced by the previous CAO of Waste Diversion Ontario. These monthly update teleconferences would aid in the openness and transparency of the Authority.

BOARD COMPOSITION, APPOINTMENTS AND ELECTIONS

Under Board Composition, Appointments and Elections, the City recommends that member qualifications and eligibility criteria ensures that members of the board have an understanding of municipal operations, roles and responsibilities in resource recovery and waste management.

RECORDS PRIVACY AND ACCESS

Municipal governments have been actively involved in waste management and diversion data collection and records retention for dozens of years. The Authority should consult with municipalities in the development of a policy relating to data collection, records retention and destruction, access and ownership, and privacy code, as municipalities have extensive experience in this area. This consultation, for review and comment, should be done in a timely manner, prior to final approval.

SCHEDULE 'B'

The City recommends revising Section #4 so that 'Members shall be required to recuse themselves from dealing with any matters or making any decisions on the basis that they have a real or a perceived conflict of interest if members are shareholders/owners of corporations or entities with regulated requirements under the Acts'.

CONCLUSION

The City asks that these comments and recommendations be taken into consideration in finalizing the Operating Agreement.

The City of Guelph thanks the Ministry for engaging municipalities on this important Agreement and look forward to continued municipal involvement in waste management in Ontario.

Sincerely,

Cam Walsh

Plant Manager
Solid Waste Resources
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cc: Scott Stewart, Deputy CAO
Infrastructure, Development and Enterprise
City of Guelph

Peter Busatto, General Manager
Environmental Services
City of Guelph

Barbara Swartzentruber, Executive Director
Intergovernmental Relations, Policy and Open Government
City of Guelph

Glen R. Murray
The Honourable Minister
Environment and Climate Change

Ministry of the Environment
and Climate Change

Ministère de l'Environnement
et de l'Action en matière de
changement climatique



Office of the Minister

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FEB 17 2017

ENV1283MC-2016-3770

Mr. Stephen O'Brien
City Clerk
City of Guelph
1 Carden Street
Guelph ON N1H 3A1

RECEIVED
FEB 23 2017

CITY CLERK'S OFFICE

Dear Mr. O'Brien:

Thank you for your letter of November 30, 2016 providing the City Council's resolution supporting the moratorium on Permits to Take Water, and for forwarding the City's formal response to Environmental Registry posting #012-8783 regarding Ontario's water taking regulations.

On December 16, 2016, Ontario moved forward with a two-year moratorium on new and expanded water takings by bottling companies until January 1, 2019. Ontario Regulation 463/16, Taking Ground Water to Produce Bottled Water Regulation, implements a moratorium that bans new water bottling facilities from taking groundwater, and prohibits existing facilities from increasing their groundwater taking or testing for future groundwater sources. It will ensure groundwater resources are better conserved for future generations, and help to protect against future water insecurity due to climate change, population growth, increasing consumption and drought.

While the moratorium is in place, the ministry also plans to further strengthen groundwater protection by:

- undertaking further research to improve understanding of groundwater
- examining how water charges and other tools could be used to help manage and protect water resources
- reviewing existing rules for water bottlers to ensure long-term groundwater protection, including considering the impacts of climate change and future demand on water sources

As an early action during the moratorium, Ontario sought feedback from the public on stricter rules for water bottling companies that use groundwater. The proposal was posted on the Environmental Registry under #012-9151 for public comment which ended on January 31, 2017.

Mr. Stephen O'Brien
Page 2.

Ontario has also proposed a new regulatory charge of \$500 per million litres for groundwater taken for water bottling. The regulation proposal notice has been posted on the Environment Registry for a 61-day public comment period from January 18, 2017 to March 20, 2017. The proposed charge would apply to any permit holder who takes groundwater to produce bottled water, on top of the existing water charge of \$3.71 per million litres under the *Ontario Water Resources Act*. The purpose of the new charge would be to recover provincial costs to manage groundwater takings by water bottlers.

In addition to taking action to protect water in the province, the ministry also recognizes the importance of introducing new, more effective ways to increase diversion, including single use plastic containers. The Ontario government has taken action to foster the principles and goals of extended producer responsibility and, on November 30, 2016, the *Resource Recovery and Circular Economy Act, 2016* was proclaimed. The new Act is the pillar of the government's strategy to preserve resources and recover valuable materials from wastes currently lost to landfill. The legislation holds producers responsible for recovering resources and reducing waste associated with their products and packaging. The legislation gives government the authority to set obligations, including collection and recycling targets and standards, and provides flexibility for responsible producers to meet these obligations.

Again, thank you for forwarding Council's resolution to my attention.

Sincerely,



Glen Murray
Minister

c: The Honourable Liz Sandals, MPP-Guelph



Guelph Police Services Board

PO Box 31038, Willow West Postal Outlet, Guelph, Ontario N1H 8K1
Telephone: (519) 824-1212 #7213 Fax: (519) 824-8360
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OPEN MEETING

MINUTES – JANUARY 19, 2017

An Open meeting of the Guelph Police Services Board was held on January 19, 2017 in Meeting Room B, Guelph City Hall, 1 Carden Street, commencing at 2:30 p.m.

Present: D. Drone, Chair
L. Griffiths, Member
C. Guthrie, Member
C. Billings, Member
C. Polonenko, Executive Assistant
J. DeRuyter, Chief of Police
P. Martin, Deputy Chief of Police
S. Purton, Financial Services Manager
T. Harris, Human Resources Manager

Regrets: J. Sorbara, Vice-Chair

Guests: Duane Sprague, Police Services Advisor, Ministry of Community Safety and Correctional Services; Councillor Leanne Piper; Jennifer Bechtel, Canadian Mental Health Association Waterloo Wellington.

Guelph Police Service: Inspector Scott Green, Inspector Pat Milligan, Jessica Abra

1. WELCOME

The Chair called the meeting to order at 2:55 p.m. Duane Sprague explained his role as Police Services Advisor for the Ministry of Community Safety and Correctional Services. D. Drone welcomed him to the meeting.

2. APPROVAL OF AGENDA

Moved by L. Griffiths
Seconded by C. Guthrie
THAT the Agenda be approved as presented.
- CARRIED -

3. DECLARATION OF CONFLICT OR PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

4. APPROVAL OF MINUTES

4.1 Minutes of the Open Meeting, Thursday, December 8, 2016

The minutes were amended to replace Leanne Piper with Christine Billings as present at the meeting.

Moved by L. Griffiths

Seconded by C. Guthrie

THAT the Minutes of the Open Meeting held Thursday, December 8, 2016 be approved as amended.

- CARRIED -

5. DELEGATIONS/PRESENTATIONS

5.1 Presentation to Former Board Member, Leanne Piper

D. Drone introduced Leanne Piper as a dedicated member of the Guelph Police Services Board for the past five years. It was noted that she is a person of balance and sincerity, and who devotes a lot of her time to the community. A note from Vice-Chair Judy Sorbara, was read. On behalf of the Board, D. Drone presented her with a gift, and Board members expressed appreciation for her contribution to the Guelph Police Service and the community. L. Piper said a few words, including a request to be invited to tour the new Police Headquarters when it was completed.

L. Piper left the meeting at 3:07 p.m.

5.2 IMPACT GPS PRESENTATION

Inspector Pat Milligan introduced Jennifer Bechtel from the Canadian Mental Health Association Waterloo Wellington, who established IMPACT (Integrated Mobile Police and Crisis Team) with the Guelph Police Service with two staff in January 2016. They presented the Guelph-specific model and statistics from the initial year, noting that significant progress has been made with respect to how individuals with mental health issues are handled when police are called. IMPACT personnel are available for mental health, addiction, or crisis situations.

When people are in mental health crisis, Police and Emergency services personnel cannot handle the situations alone as they are not trained as mental health technicians. The *Mental Health Act* provides police with the authority to deal with mental health issues; however, officers tend to over-apprehend, erring on the side of caution. Hours are spent in hospital emergency, and after being assessed, the person may be sent home.

Some highlights of the program include:

- Support and education for police and emergency services personnel is provided.
- Officer time is reduced in calls involving mental health.
- The number of apprehensions and ER visits for mental health reasons is reduced.
- Appropriate interventions are facilitated in a timely manner and persons are connected with the right services more quickly.
- Personal support is provided for police members if required.

Ms. Bechtel explained the details of how the program works and presented the following statistics for 2016:

- There were 1,222 referrals from the Guelph Police Service.
- Support was provided to 770 persons.
- There were 2,274 visits in person or on the phone.
- Support or resources was provided to 40 Guelph Police Service staff.
- 20 hours of education was provided to the community.
- Number of calls increased in 2016 but apprehensions did not increase.
- Officer wait time at the Guelph General Hospital is steadily decreasing.

Looking to the future, Ms. Bechtel reported that they would like to expand the team with more workers, provide further training for officers and education for key stakeholders, and obtain a screener tool to provide information to the hospital prior to attending with the client.

There was discussion, after which D. Drone thanked Ms. Bechtel and Inspector Milligan for the very informative presentation.

Inspector P. Milligan, Jennifer Bechtel and C. Guthrie left the meeting at 3:48 p.m.

6. STRATEGIC ITEMS

6.1 Headquarter Renovation and Expansion Report

Deputy Martin reported that the majority of the project shut down for two weeks over the Christmas holiday period. In December, backfilling occurred on the west end of the project as the forming and cement pouring continued in preparation for the construction of the ramp and second floor. The main level floor of the garage will be poured in the spring. It is anticipated that the cooling tower will be functional for March 1st. The project continues to be projected within budget.

6.2 Progress Review Committee Report: In Camera Meetings

L. Griffiths, Chair of the Progress Review Committee, reported that at the 2016 committee meeting held on June 20, 2016, the issue of conducting in camera meetings was discussed. It was decided that information from other police jurisdictions would be gathered and reviewed and this matter would be addressed in the fall. Upon review of the research, L. Griffiths made five recommendations, which the Board subsequently adopted.

Moved by L. Griffiths

Seconded by C. Billings

THAT the Guelph Police Services Board adopt revised terminology to reference “open” and “closed” meetings versus “Open” and “in camera” meetings; and **THAT** modifications to the Guelph Police Services Board Open (Open) Meeting Agenda be made as presented in the sample provided; and

THAT there be an addition to the Open (Open) Meeting Minutes to reference *Police Services Act* Section 35(4) as presented in the sample provided; and

THAT the following footnote be added to the bottom of the closed meeting agenda: *“Note: Board members are encouraged to identify what, if any, recommendations can be taken forward to the Open Meeting.”*; and

THAT Closed (in camera) meeting minutes minimize content of discussions and solely reference the fact that discussion was held and any motions arising from same.

-CARRIED-

6.3 Business Plan Pillar Report

Chief DeRuyter presented the Pillar Report for the 2016-2018 Strategic Business Plan. At the end of year one, of 94 Objectives, 68 (72.3%) were in the green (successful) status, 23 (24.5%) were in the yellow status (partially achieved) and 3 (3.2%) were in red status (objectives that may not be completed). Chief DeRuyter thanked Jessica Abra of Research for the excellent work on the Pillar report.

Chief DeRuyter highlighted the following from the report:

- Mental health and addiction continues to be a significant problem in Guelph.
- A proactive approach to human trafficking has included the application for and receipt of provincial grants, involvement in the provincial initiative Northern Spotlight, and hosting a two-day, multi sector training event to address the local issue of human trafficking.
- Crime prevention strategies are being engaged to combat property crime related to drugs. Various presentations on drugs have been made to engage the public.
- The role of the Community Volunteer Patrol has been expanded beyond schools and parks and are being used in downtown patrols and the Lock It or Lose It campaign.
- Since the spring of 2016, there have been four targeted projects regarding bike thefts and chopping, with 13 arrests and charges and 82 bikes and parts recovered.
- There was a reduction in personal injury vehicle collisions in 2016.
- Positive work is being done in youth programs; however, there was no reduction in youth crime due to repeat offenders, some related to the group homes.
- A university co-op student with marketing background is assisting with marketing.
- The Service is experiencing significant staffing issues with accommodations.
- Business intelligence tools will allow expanded use of data.

L. Griffiths thanked Jessica for the formatting of the report. Deputy Martin noted that staffing all positions and accommodations are the large challenges to the Service.

C. Guthrie entered the meeting at 4:08 p.m. Jessica Abra and Inspector S. Green left the meeting at 4:10 p.m.

7. **OPERATIONAL ITEMS**

7.1 **Suspect Apprehension Third and Fourth Quarter (2016) Report**

From July 1 to December 31, 2016, there were six suspect apprehension pursuits. There were two suspect apprehension pursuit in the same period of 2015. The type of offences for which an officer may pursue, the requirement for supervisory involvement, the tactics used during the pursuit, and the training the officers receive is included in the pursuit legislation and Guelph Police Service policy.

7.2 **Use of Force Fourth Quarter (2016) Report**

From October 1 to December 31, 2016, Guelph Police officers attended to 24 incidents, using 59 levels of force, where either one or more levels of force were required to bring the situation that they were faced with to a peaceful and successful resolution. One of the incidents (K-9) occurred during a Waterloo call for service. All the Use of Force reports that were submitted were reviewed, and in all of the incidents, the officers were justified in using the force outlined in their report.

7.3 **Professional Standards Fourth Quarter (2016) Report**

From October 1 to December 31, 2016 the Guelph Police Service received nine new public complaints through the Office of the Independent Police Review Director. All nine complaints were assigned to be investigated by the Professional Standards Branch. The nine new complaints in the fourth quarter brings the total number of OIPRD complaints to 31 in 2016. One Special Investigations Unit investigation was initiated in the fourth quarter of 2016, and the S.I.U. has invoked its mandate to investigate. In total for 2016 there were four S.I.U. investigations. There were no new internal investigations initiated in the fourth quarter of 2016, and a total of ten internal investigations were initiated and investigated during 2016. There have been no requests to review incidents investigated by the Professional Standards Branch during the fourth quarter of 2016.

7.4 **Human Resources Report**

Moved by C. Guthrie

Seconded by L. Griffiths

THAT Matthew Ball, Johnpaul Hobbs, and Jenifer Nadalin be appointed as a full time members of this Service effective December 28, 2016; and

- CARRIED -

Moved by C. Guthrie

Seconded by C. Billings

THAT Avery Speller and Natasha Caldwell be appointed as a temporary civilian members of this Service effective January 3 and January 5, 2017 respectively.

-CARRIED-

8. ADMINISTRATIVE ITEMS

8.1 Chief's Monthly Report

Chief DeRuyter provided his schedule of upcoming internal and external community events and meetings and highlighted his attendance at the OACP Community Safety Crime Prevention Committee on January 24, 2017.

8.2 Board Correspondence Reports

Correspondence Received

- December 9, 2016: Thank you from KidsAbility for donation to Superhero Run
- Royal Bank –November 3 – December 2, 2016 Community Account Statement
- December 15, 2016: Staff Sergeant Paul Crowe – Thank you
- December 21, 2016: Request from Big Brothers Big Sisters of Guelph Wellington re: financial support for Have a Heart for Kids Sake Gala

Correspondence Issued

- December 6, 2016: Staff Sergeant Paul Crowe re: Major-General Lewis Mackenzie Leadership Award
- December 13, 2016: Community Account funding letter – Kickz Soccer

8.3 2017 Designation Acting Chief and Deputy Chief

Moved by C. Billings

Seconded by L. Griffiths

THAT the Guelph Police Services Board approve the recommendation lists for 2017 as presented for the appointments of Acting Chief and Acting Deputy Chief.

-CARRIED-

8.4 Budget Signing Authority

S. Purton reported that in accordance with the Guelph Police Services Board Financial Policy, BD-01-001 a list of individuals who have signing authority and the signing limit dollar amounts was presented. There were two changes to the list, including a change to the signing authority for the Administrative Services Assistant to include the Fleet unit to promote efficiencies related to the procurement process for small dollar purchase orders. Secondly, all Inspectors and Civilian Managers are provided with signing authority for all training object codes within the Professional Development unit to allow for efficient processing of requests and payments.

8.5 Community Account Fourth Quarter (2016) Report

The Executive Assistant advised that during the fourth quarter of 2016, \$4,757.47 was received into the Community account from police auctions/unclaimed cash, and \$3,900.00 was disbursed to community and/or police groups. The balance in the

account as of December 13, 2016 is \$10,044.76, a very favourable position. Two investments will be maturing in the first half of 2017.

Moved by L. Griffiths

Seconded by C. Guthrie

THAT the Guelph Police Services Board directs the Chair of the Board and the Executive Assistant to have authority to make decisions regarding the investments of the Board's Community Account.

-CARRIED-

8.6 Community Account Audit for 2016

The Executive Assistant reported that pursuant to the Board's motion on December 11, 2014 which appointed Weiler & Company to audit the Community Account for 2014, 2015 and 2016 subject to satisfactory performance, she was satisfied with the firm and recommended that this firm continue to perform the audit for 2015. The Board requested that Sarah Purton investigate whether the audit can be included in the City's audit to save costs.

8.7 Board Member Mileage and Conference Expenses Report

Pursuant to the provisions of Board Policy BD001-05, Board Member and Board Staff Reimbursement of Expenses, the Board received a report prepared by the Executive Assistant outlining the conference attendance and expenses incurred by each Board member in 2016.

8.8 Community Account Financial Request – Big Brothers Big Sisters Have a Heart for Kids Sake Gala

The Board took no action on this request, as the Community Account already funds two yearly events held by Big Brother Big Sisters.

8.9 Annual Membership Fees

8.9.1 Ontario Association of Police Services Boards

Moved by L. Griffiths

Seconded by C. Guthrie

THAT the Guelph Police Services Board renew its 2017 membership in the Ontario Association of Police Services Boards at a cost of \$5,342.64 to be paid from the tax supported budget.

- CARRIED -

8.9.2 OAPSB Zone 5

Moved by C. Guthrie

Seconded by L. Griffiths

THAT the Guelph Police Services Board renew its 2017 membership in the Ontario Association of Police Services Boards Zone 5 at a cost of \$250.00 to be paid from the tax supported budget.

- CARRIED -

8.10 Information Items

- 8.10.1 Next Meeting – Thursday, February 16, 2017; 2:30 p.m. in Meeting Room C of Guelph City Hall.
- 8.10.2 The Mental Health of Police Personnel Conference, Gatineau, QC – February 13-15, 2017
- 8.10.3 Ontario Association of Police Boards Spring Conference, Blue Mountain Resort - June 21-24, 2017
- 8.10.4 Canadian Association of Police Governance Annual Conference, Montreal, QC - July 13-16, 2017

9. ADJOURNMENT

Moved by C. Guthrie

Seconded by L. Griffiths

THAT the Open meeting adjourn as at 4:39 p.m.

- CARRIED -

The minutes of this meeting were adopted this 16th day of February, 2017.

"D. Drone"

D. Drone, Chair

C. Polonenko"

C. Polonenko, Executive Assistant