

Council Committee Room B
March 6, 2006 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Quarrie, Councillors Billings, Birtwistle, Downer, Furfaro, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillors Baily, Burcher, Ferraro, Hamtak

Staff Present: Dr. J. Laird, Acting CAO and Director of Environmental Services; Mr. G. Stahlmann, Director of Community Services; Mr. D. Kennedy, Director of Finance/ City Treasurer; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Planning & Development Services; Chief Shawn Armstrong, Director of Emergency Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and, Ms. T. Agnello, Deputy Clerk

1. Moved by Councillor Kovach
Seconded by Councillor Birtwistle

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

- litigation or potential litigation;
- Advice that is subject to Solicitor-client privilege.

Carried

The meeting adjourned at 5:01 o'clock p.m.

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Mayor

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Clerk

Council Committee Room B
March 6, 2006 5:02 p.m.

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

Present: Mayor Quarrie, Councillors Baily (arrived 6:07 p.m.), Billings, Birtwistle, Downer, Ferraro, Furfaro, Hamtak, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillor Burcher

Staff Present: Dr. J. Laird, Acting CAO and Director of Environmental Services; Mr. G. Stahlmann, Director of Community Services; Mr. D. Kennedy, Director of Finance/ City Treasurer; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Planning & Development Services; Chief Shawn Armstrong, Director of Emergency Services; Ms. S. Smith, Associate Solicitor Mr. R., French, Manager of Transit Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and, Ms. T. Agnello, Deputy Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

1. Moved by Councillor Birtwistle
Seconded by Councillor Billings
THAT Peter Pickfield be permitted to address Council in Committee.

Carried

2. Moved by Councillor Kovach
Seconded by Councillor Downer
THAT the verbal report of Mr. P. Pickfield be received.

Carried

Ms. L.E. Payne
Mr. G. Stahlmann

3. Moved by Councillor Birtwistle
Seconded by Councillor Ferraro
THAT the Legal Department's Litigation Status report dated February 27, 2006 be received.

Carried

Ms. L. E. Payne
Mr. G. Stahlmann

4. Moved by Councillor Birtwistle
Seconded by Councillor Hamtak
THAT staff be given direction with regard to a matter of potential litigation.

Carried

Councillor Laidlaw withdrew a matter subject to litigation/potential litigation/ advice subject to solicitor client-privilege.

Dr. J. L. Laird

5. Moved by Councillor Downer
Seconded by Councillor Kovach
THAT staff be given direction with regard to a matter of potential

Mr. D.A. Kennedy
Ms. L. E. Payne

litigation.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Birtwistle, Downer, Ferraro, Hamtak, Kovach, Laidlaw, Moziar, Schnurr and Mayor Quarrie (11).

VOTING AGAINST: Councillor Furfaro, (1)

The motion was carried.

Items to be ratified at a Public meeting

REPORT

THAT staff are authorized to retain an odour consultant at a maximum cost of \$50,000 to peer review the recommendations of the City’s consultant, RWDI, prior to completing any final arrangements for the implementation of the pilot project;

AND THAT City staff be authorized to contract for a pilot project, subject to the outcome of the peer review, that provides for the installation of an odour scrubber at a maximum cost of \$200,000 (“pilot project”) provided that the MOE agrees to cooperate with the City in the implementation of this pilot project;

AND THAT the MOE will be requested to issue any appropriate order including a modification to the certificate of approval for the Facility that implements this cooperative approach, and staff and the City’s consultants shall be authorized to negotiate appropriate terms or conditions for this proposed order.

The meeting adjourned at 6:10 o’clock p.m.

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Mayor

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Clerk

Council Chambers
March 6, 2006

Council reconvened in formal session at 6:30 p.m.

Present: Mayor Quarrie, Councillors Baily, Billings, Birtwistle, Downer, Ferraro, Furfaro, Hamtak, Kovach, Laidlaw, Moziar and Schnurr.

Absent: Councillor Burcher

Staff Present: Dr. J. Laird, Acting CAO/Director of Environmental Services; Chief S. Armstrong, Director of Emergency Services; Mr. Peter Cartwright, Manager of Economic Development; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Mr. D. McCaughan, Director of Operations; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Planning & Development Services; ; Mr. G. Stahlmann, Director of Community Services; Ms. T. Agnello, Deputy City Clerk; and Ms. N. Marino, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

1. Moved by Councillor Birtwistle
Seconded by Councillor Downer

THAT the minutes of the Council meetings held on February 13 and 20, 2006 and the minutes of the Council meeting held in Committee of the Whole on February 13, 20 and 24, 2006 be confirmed as recorded and without being read.

Carried

REGULAR MEETING

DELEGATIONS

There were no requests for delegations to appear before Council

COMMITTEE OF THE WHOLE

2. Moved by Councillor Downer
Seconded by Councillor Kovach

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

Carried

CONSENT AGENDA

3. Moved by Councillor Kovach
Seconded by Councillor Schnurr

THAT the March 6, 2006 Consent Agenda as identified below, be adopted:

Mr. J. Ridell
Ms. L.E. Payne

- a) **131 Harvard Road: Upcoming Ontario Municipal Board Hearing**

THAT City Council authorizes appropriate City staff to attend the March 23, 2006 Ontario Municipal Board hearing to support the decision of the Committee of Adjustment for Application A-118/05 which refused a proposed variance for maximum driveway width at 131 Harvard Road.

Carried

4. Moved by Councillor Ferraro
Seconded by Councillor Billings
THAT the Committee rise with leave to sit again.

Carried

5. Moved by Councillor Furfaro
Seconded by Councillor Moziar
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

BY-LAWS

6. Moved by Councillor Hamtak
Seconded by Councillor Baily
THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2006)-17951 to (2006)-17964, inclusive.

Carried

The By-laws were read a first and second time at 6:38 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2006)-17951 to (2006)-17964, inclusive.

Mayor Quarrie in the Chair.

At 6:39 o'clock p.m., the Committee rose and reported By-laws Numbered (2006)-17951 to (2006)-17964, inclusive, passed in Committee without amendment.

SPECIAL RESOLUTION

7. Moved by Councillor Downer
Seconded by Councillor Kovach
THAT staff are authorized to retain an odour consultant at a Mr. maximum cost of \$50,000 to peer review the recommendations of the City's consultant, RWDI, prior to completing any final arrangements for the implementation of the pilot project;

Dr. J. L. Laird
D.A. Kennedy
Ms. L.E. Payne

AND THAT City staff be authorized to contract for a pilot project, subject to the outcome of the peer review, that provides for the installation of an odour scrubber at a maximum cost of \$200,000 (“pilot project”) provided that the MOE agrees to cooperate with the City in the implementation of this pilot project;

AND THAT the MOE will be requested to issue any appropriate order including a modification to the certificate of approval for the Facility that implements this cooperative approach, and staff and the City’s consultants shall be authorized to negotiate appropriate terms or conditions for this proposed order.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Baily, Billings, Birtwistle, Downer, Ferraro, Hamtak, Kovach, Laidlaw, Moziar, Schnurr and Mayor Quarrie (11)

VOTING AGAINST: Councillor Furfaro (1)

The motion was carried.

BY-LAWS (continued)

8. Moved by Councillor Kovach
Seconded by Councillor Downer
THAT By-laws Numbered (2006)-17951 to (2006)-17964, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 6:40 o’clock p.m.

QUESTIONS

In response to a question by Councillor Birtwistle, the Director of Corporate Services/City Solicitor advised that staff will report back with regards to winter snow removal at the Zehr’s location on Imperial Road and the applicability of the Noise By-law.

In response to questions by Councillor Kovach, the Director of Environmental Services advised that staff will report to the Planning, Environment & Transportation Committee on the consolidation of utility services on right-of-ways.

Councillor Laidlaw apologized to Astrid Clos in regards to comments made at the last City Council meeting.

MAYOR’S ANNOUNCEMENTS

The Mayor introduced and welcomed Nancy Marino to the City of Guelph as Assistant Council Committee Coordinator.

NOTICE OF MOTION

Councillor Laidlaw advised that she will be presenting a motion at a future meeting with respect to the City's by-law relating to property at the intersection of Woodlawn Road and Woolwich Street.

ADJOURNMENT

The meeting adjourned at 6:45 o'clock p.m.

Minutes read and confirmed March 20, 2006.

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Mayor

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Deputy Clerk