

Council Committee Room B
March 23, 2009 5:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillor Burcher

Staff Present: Dr. J. Laird, Director of Environmental Services; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. R. Henry, City Engineer; Ms. T. Sinclair, Manager of Legal Services; Mr. R. Stehle, Interim Manager of Transit 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

- 1. Moved by Councillor Laidlaw
Seconded by Councillor Piper

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), (e) and (f) of the Municipal Act, with respect to:

- security of the property of the municipality;
- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of land;
- 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

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Clerk

Council Committee Room B
March 23, 2009 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

Absent: Councillor Burcher

Staff Present: Dr. J. Laird, Director of Environmental Services; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. R. Henry, City Engineer; Ms. T. Sinclair, Manager of Legal Services; Mr. R. Stehle, Interim Manager of Transit 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**

Councillor Salisbury declared a possible pecuniary interest with regards to the update at Guelph Transit because a member of his family is employed by Guelph Transit. The Councillor absented himself from this portion of the meeting, and did not discuss or vote on the matter.

Mayor Farbridge declared a possible pecuniary interest with regards to the litigation status report Schedule "B" because her brother works for a firm doing due diligence work and did not discuss or vote on the matter. The Mayor absented herself from this portion of the meeting, and did not discuss or vote on the matter.

The General Manager of Economic Development and Tourism provided an update with respect to a potential litigation matter.

1. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT staff be given direction with respect to a potential litigation matter.

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

Carried

The Director of Community Services provided an update with respect to security and personnel issues at Guelph Transit.

Ms. L.E. Payne 2. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT staff be given direction with respect to acquisition of property.

Carried

Ms. L.E. Payne 3. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT staff be given direction with respect to litigation matters.

Carried

Councillor Laidlaw assumed the Chair due to the Mayor's declared possible pecuniary interest.

Ms. L.E. Payne 4. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT staff be given direction with respect to litigation matters.

Carried

The meeting adjourned at 6:40 o'clock p.m.

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Mayor

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Clerk

Council Chambers
March 23, 2009

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: Chief S. Armstrong, Director of Emergency Services; 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; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. R. Henry, City Engineer; 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 Farrelly
Seconded by Councillor Hofland

THAT the minutes of the Council meetings held on February 17, 23, 25 and March 2 and 9, 2009 and the minutes of the Council meetings held in Committee of the Whole on February 17, 23 and March 9, 2009 be confirmed as recorded and without being read.

Carried

CONSENT AGENDAS

The following items were extracted from the following Consent Agendas to be voted on separately:

Emergency Services, Community Services & Operations: -

- Special Event and Noise Control By-law Exemption Request – Italian Canadian Club for Festival Italiano

Finance, Administration & Corporate Services: -

- Long Term Capital Forecast

Governance: -

- Annual Council Priority Review – Process Plan

Council Consent: -

- Road Capital Budget Reallocation: Norfolk Street Reconstruction
- Clair Tower Booster Station, Contract 09-31
- Guelph Police Services Board – resolution from West Perth Police Services Board

Councillor Hofland presented the balance of Emergency Services, Community Services & Operations Committee Second Consent Report

2. Moved by Councillor Hofland
 Seconded by Councillor Burcher
 THAT the balance of the March 23, 2009 Emergency Services, Community Services & Operations Committee Consent Report as identified below, be adopted:

a) **2009 Service Agreement with the Guelph Humane Society**

Mr. D. McCaughan
 Ms. M. Neubauer
 Ms. L.E. Payne

That the Mayor and City Clerk be authorized to sign an agreement between The Corporation of the City of Guelph and the Guelph Humane Society for the provision of services, including dog control, dog licensing, and animal shelter at a cost of \$372,000 for the period January 1, 2009 to December 31, 2009.

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 Beard presented the balance of the Finance, Administration & Corporate Services Committee First Consent Report

3. Moved by Councillor Beard
 Seconded by Councillor Wettstein
 THAT the balance of the March 23, 2009 Finance, Administration & Corporate Services Committee Consent Report as identified below, be adopted:

a) **Purchasing By-law**

Ms. M. Neubauer

THAT the City's Purchasing By-law (2005)-17679 be amended such that the monetary limits in section 5 – Purchase Processes and Limits, be revised as reflected in Schedule 1 attached.

b) **City Initiated Assessment Appeals**

Ms. M. Neubauer

THAT Council authorize City Staff to file appeals with the Assessment Review Board;

AND THAT staff be directed to prepare the necessary by-law.

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 Council as Committee of the Whole Second Consent Report

4. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the March 23, 2009 Council as Committee of the Whole Second Consent Report as identified below, be adopted:

a) **Citizen Appointments to Eastview Public Liaison Committee**

Mrs. L.A. Giles

THAT Anna Bortolon and Katharine Demolder-Carere be appointed to the Eastview Public Liaison Committee for a term ending November, 2009.

b) **Citizen Appointments to River Systems Advisory Committee**

Mrs. L.A. Giles

THAT Karen Chisholme and Dan McDonell be appointed to the River Systems Advisory Committee for a term ending November, 2009.

c) **Citizen Appointments to River Run Centre Board of Directors**

Mrs. L.A. Giles

THAT Jordon Willcox be appointed to the River Run Centre Board of Directors for a term ending November, 2009.

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

5. Moved by Councillor Billings
Seconded by Councillor Burcher

THAT the balance of the March 23, 2009 Council Consent Agenda as identified below, be adopted:

a) **Provincial Offences Act Streamlining Review**

Ms. L.E. Payne

THAT Council directs staff to respond to the Ministry of the Attorney General's *Provincial Offences Act*

Streamlining Review Consultation Paper as outlined in the March 23, 2009 report to Council.

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

VOTING AGAINST: (0)

Carried

PRESENTATIONS

Rick Henry, City Engineer presented the Mayor an Ontario Public Works Association Award recognizing the Victoria Road Bridge Replacement project.

The Mayor presented City medals to the Special Olympics Team Canada Floor Hockey Team which won Provincial gold medals and won silver medals at the 2009 Winter Games in Boise, Idaho: Andrew McTaggart, Ben Tinholt, Dan Jamieson, Doug Dunk, Edgar Riel, Jamie Walker, Jeff Tromp, Jim Hamill, Mark Jamieson, Michael Farley, Patric Seeds, Paul McTaggart, Scott Tennant, Stephen Slezsak, Graham Tosh, Paul Turner – Head Coach; Shawn Turner, Assistant Coach; and Mark Cullen, Assistant Coach.

Jim Bruzzese of BMA Management Consulting Inc. was present and identified the key trends and the City's financial status compared against a peer group of municipal comparators and industry standards. He identified the City's areas of strength and challenges.

REGULAR MEETING

6. Moved by Councillor Hofland
Seconded by Councillor Farrelly
THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

Councillor Hofland presented the Clause that was extracted from the Emergency Services, Community Services & Operations Second Consent Report.

Special Event and Noise Control By-law Exemption Request – Italian Canadian Club – 135 Ferguson Street

Mr. D. McCaughan
Chief R. Davis

7. Moved by Councillor Hofland
Seconded by Councillor Burcher
THAT approval be granted to the Italian Canadian Club of Guelph to hold Festival Italiano at the Italian Canadian Club located at 135 Ferguson Street from July 10th to July 12th, 2009;

AND THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from various activities associated with Festival Italiano including the amplification of music and speech and the operation of midway rides and generators between the hours of 12:00 p.m. to 11:00 p.m. and crowd noise from 12:00 p.m. to 1:00 a.m., from July 10th to July 12th, 2009, 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 Beard presented the Clause that was extracted from the Finance, Administration & Corporate Services Committee First Consent Report.

Long Term Capital Forecast

Ms. M. Neubauer
Ms. B. Boisvert

8. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT the 10 year forecast submitted with the 2009 Budget, be reviewed using the priority setting process outlined in this report, and a revised forecast be presented to Council at the May 27, 2009 priority setting meeting.

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 Governance Committee First Consent Report.

Annual Council Priority Review – Process Plan

Ms. M. Neubauer
Ms. B. Boisvert
Mr. H. Loewig

9. Moved by Councillor Kovach
Seconded by Councillor Burcher
THAT a two phased process for the review of Council's capital and operating priorities that will set the foundation for 2010 budgeting, resource allocation and work planning decision, be approved;

AND THAT Council recognize this effort as an integral part of developing a comprehensive budget policy and process, consistent with GFOA guidelines, and that additional proposed financial guidelines and policies supporting a revised forecast will be presented to Council for approval by September 2009.

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

VOTING AGAINST: (0)

Note: Councillor Kovach was not present in the Council Chambers at the time of this vote.

Carried

Road Capital Budget Reallocation: Norfolk Street Reconstruction

Mr. J. Riddell
Ms. M. Neubauer

10. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT Report No. 09-31, dated March 23, 2009 from Community Design and Development Services regarding Road Capital Budget Reallocation: Norfolk Street Reconstruction be received;

AND THAT \$1M of City funding from Account Number RD0225 Dublin: Suffolk-Waterloo and \$1M of City funding from Account Number RD0107 Gordon: Wellington-Waterloo be reallocated to Account Number RD0176 Norfolk: Waterloo-Quebec, for use during the Norfolk Street Reconstruction from Waterloo Avenue to Quebec Street.

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

VOTING AGAINST: (0)

Carried

Clair Tower Booster Station, Contract No. 09-31

Mr. J. Riddell
Ms. M. Neubauer

11. Moved by Councillor Billings
Seconded by Councillor Findlay
THAT the tender of Sierra Construction Ltd. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 09-031 for the Clair Tower Booster Station, for a total tendered price of \$2,113,728.14 with actual payment to be made in accordance with the terms of the contract.

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

VOTING AGAINST: (0)

Carried

Guelph Police Services Board – Resolution from West Perth Police Services Board

Chief R. Davis
Ms. J. Demerling
Hon.C. Bentley
Ont. Assoc. Police Srvs.
Substance Abuse Com.
Liz Sandals, MPP

12. Moved by Councillor Kovach
Seconded by Councillor Billings
THAT Guelph City Council fully supports the efforts of the Guelph Police Services Board and the West Perth Police Services Board in its efforts requesting a review of level of sentencing practices in Ontario Province’s Courts, specifically pertaining to the drug trade;

AND THAT copies be sent to the Attorney General of Ontario, Ontario Association of Police Services Boards, the Substance Abuse Committee of Guelph and Liz Sandals, MPP.

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

VOTING AGAINST: (0)

Carried

13. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT the Committee rise with leave to sit again.

Carried

14. Moved by Councillor Laidlaw
Seconded by Councillor Kovach
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

BY-LAWS

15. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT By-laws Numbered (2009)-18748 to (2009)-18759, 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

ADJOURNMENT

The meeting adjourned at 9:00 o'clock p.m.

Minutes read and confirmed April 27, 2009.

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Mayor

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Clerk

Revised

Monetary Limits	Purchasing Processes	Comments
Up to \$20,000	Competitive bid process not required. Payment may be by Purchase Order prepared by user Department or Cheque, provided in accordance with this By-Law	<ul style="list-style-type: none"> ▪ All information is public ▪ No public opening required ▪ Purchasing not involved in process
More than \$20,000 and not more than \$100,000	Informal Quotations or Request for Quotations or Tender or Request for Proposals	<ul style="list-style-type: none"> ▪ All information is public ▪ No public opening required ▪ Purchasing to determine best process for receiving competitive bids ▪ Advertising of bid call optional
More than \$100,000	Tender or Request for Proposals	<ul style="list-style-type: none"> ▪ All information is public ▪ Public opening required ▪ Purchasing to determine best process for receiving competitive bids ▪ Advertising of bid call mandatory