

Council Caucus Room  
June 22, 2009 5:30 p.m.

**A meeting of Guelph City Council.**

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; 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. J. Riddell, Director of Community Design and Development Services; Mr. G. Hunt, Manager of Employee/Employer Relations, Assistant Director of Human Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

- 1. Moved by Councillor Kovach  
Seconded by Councillor Burcher

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

- the security of the property of the municipality;
- personal information about identifiable individuals;
- labour relations or employee negotiations.

Carried

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

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Mayor

.....  
Clerk

Council Caucus Room  
June 22, 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, Hofland, Kovach, Laidlaw, Piper and Wettstein

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; 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. J. Riddell, Director of Community Design and Development Services; Mr. G. Hunt, Manager of Employee/Employer Relations, Assistant Director of Human Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF  
INTEREST ACT**

There were no declarations of pecuniary interest.

The Director of Emergency Services/Fire Chief provided an update with respect to land ambulance services.

The Director of Human Resources provided an update with respect to the OPSEU negotiations.

1. Moved by Councillor Burcher  
Seconded by Councillor Laidlaw

REPORT

THAT the Memorandums of Agreement between the City of Guelph and OPSEU Local 231 on file with Human Resources, be approved.

Carried

The Chief Administrative Officer and the Director of Corporate Services/City Solicitor provided an update with respect to a potential litigation matter.

REPORT

2. Moved by Councillor Burcher  
 Seconded by Councillor Piper  
 THAT Robin Bergart and Enrico Stradiotto be appointed to  
 the Municipal Property & Building Commemorative Naming  
 Policy Committee for a term ending November, 2010.

Carried

The meeting adjourned at 5:55 o'clock p.m.

.....  
 Mayor

.....  
 Clerk

Council Chambers  
 June 22, 2009

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

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative  
 Officer; 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. J. Riddell, Director  
 of Community Design and Development Services; Mrs.  
 L.A. Giles, Director of Information Services/City Clerk;  
 and Ms. J. Sweeney, Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT**

There was no declaration of pecuniary interest.

1. Moved by Councillor Kovach  
Seconded by Councillor Piper  
THAT Procedural By-law (1996)-15200 be suspended to not require electronic voting.

Carried

2. Moved by Councillor Billings  
Seconded by Councillor Burcher  
THAT the minutes of the Council meetings held on May 27, June 1 and 10, 2009 and the minutes of the Council meetings held in Committee of the Whole on June 1, 2009 be confirmed as recorded and without being read;

AND THAT the minutes of the Council meeting held on May 25, 2009 be amended by including the following on Page 139 following the delegation of Dr. Hugh Whiteley:  
"Dr. J. Laird, Director of Environmental Services, advised that in the implementation of the philosophy of setting a cap on water production, staff will monitor, consider adaptation of policy, and report annually to the public with regard to the achievement of the philosophy."

AND THAT the minutes of the Council meeting held on May 25, 2009 and the minutes of the Council meeting held in Committee of the Whole on May 25, 2009 be confirmed as amended and without being read.

Carried

## **CONSENT REPORTS AND AGENDAS**

### **Councillor Burcher presented the Community Development & Environmental Services Committee Fourth Consent Report.**

3. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT the June 22, 2009 Community Development & Environmental Services Committee Fourth Consent Report as identified below, be adopted:

- a) **Beverley Robson Park Master Plan  
Victoriaview Subdivision in Ward 2**

Mr. J. Riddell

THAT the Community Design and Development Services Report 09-22 dated June 15, 2009, pertaining to the proposed master plan for Beverley Robson Park, be received;

AND THAT the Master Plan for the development of the Beverley Robson Park, as proposed in Appendix 2 of the Community Design and Development Services Report 09-22 dated June 15, 2009, be approved;

AND THAT staff be directed to proceed with the implementation of the Beverley Robson Park Master Plan.

b) **Notice of Intention to Designate 83 Essex Street Pursuant to the Ontario Heritage Act**

Mrs. L.A. Giles  
Mr. J. Riddell

THAT Report 09-52, dated June 15, 2009 from Community Design and Development Services, regarding the heritage designation of 83 Essex St. be received;

AND THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 83 Essex St. in accordance with the *Ontario Heritage Act* and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

c) **Work Plan for Transit Growth Strategy and Mobility Services Study**

Mr. J. Riddell  
Ms. A. Pappert

THAT the Community Design and Development Services Report 09-55, on the "Work Plan for Transit Growth Strategy and Mobility Services Study" dated June 15, 2009, be received;

AND THAT Council authorize staff to proceed with Transit Growth Strategy and Mobility Services study as outlined in this report and the attached Work Plan, as amended to include:

- PRTs to be included in principle components; and
- addition of two (2) County elected officials to the composition of the Advisory Committee.

Carried

The following items were extracted from the Emergency Services, Community Services & Operations Committee Fifth Consent Report to be voted on separately:

- ECO-2 Sidewalk Winter Control Service Review Results
- ECO-5 Metcalfe Street – 2 Hour Parking Zone
- ECO-6 Open Air Urinals

**Councillor Hofland presented the balance of the Emergency Services, Community Services & Operations Committee Fifth Consent Report.**

4. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT the balance of the June 22, 2009 Emergency Services, Community Services & Operations Committee Fifth Consent Report as identified below, be adopted:

a) **Winter Control Salt Management Plan**

Mr. D. McCaughan

THAT the Emergency Services, Community Services and Operations Committee report, 'Winter Control Salt Management Plan' dated June 15, 2009, be received;

AND THAT the Salt Management Plan as presented in the 'Winter Control Salt Management Plan' report of June 15, 2009 be approved.

b) **Notification and Recommendation of a Special Event at Goldie Mill**

Ms. A. Pappert

THAT an application for a special events permit to serve alcohol at a wedding to be held on Saturday, July 4, 2009 at Goldie Mill Ruins – Amphitheatre (closed-in area) be approved.

c) **County of Wellington: Partnership Agreement with Neighbourhood Support Coalition**

Ms. A. Pappert

THAT the Mayor and Clerk be authorized to execute the service agreement between the City of Guelph and the County of Wellington for the funding support of the Neighbourhood Support Coalition and the provision of neighbourhood group programs and services.

Carried

The following item was extracted from the Governance Committee Third Consent Report to be voted on separately:

- GOV-1 Options for Improving Telephone Customer Service

**Councillor Kovach presented the Fourth Consent Report of the Council as Committee of the Whole.**

5. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw  
THAT the June 22, 2009 Council as Committee of the Whole Consent Report as identified below, be approved:

a) **Citizen Appointments to Economic Development Advisory Committee**

Mrs. L.A. Giles

THAT Tony Matteis and Scott Richardson be reappointed to the Economic Development Advisory Committee as the local business representatives for a term ending November 2013;

AND THAT Peter Kastner be appointed to the Economic Development Advisory Committee for a term ending November 2010.

Carried

The following items were extracted from the June 22, 2009 Consent Agenda to be voted on separately:

- A-2 Award Contract to Devlan Construction Ltd. – general construction services for the construction of a South End Emergency Services Facility
- A-3 Infrastructure Stimulus Fund Projects
- B-2 Resolution from the City of Pickering re: Harmonized Sales Tax

**Balance of Consent Agenda**

- 6. Moved by Councillor Burcher  
Seconded by Councillor Hofland

THAT the balance of the June 22, 2009 Council Consent Agenda as identified below, be adopted:

a) **Proposed Demolition – 190-192 Waterloo Avenue, Ward 5**

Mr. J. Riddell

THAT Report 09-56 regarding the proposed demolition of a detached dwelling at 190-192 Waterloo Avenue, City of Guelph, from Community Design and Development Services dated June 22, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 190-192 Waterloo Avenue, be approved.

**B Items for Direction of Council**

1) **Grand River Conservation Authority – Council Appointments**

Mr. K. Murch  
Counc. Beard  
Counc. Salisbury

THAT Councillors Vicki Beard and Mike Salisbury be appointed to the Grand River Conservation Authority for a one year term expiring November 2010.

Carried

## **PRESENTATIONS**

Dan Andrews was present on behalf of the Trans Canada Trail Foundation and presented the City a cheque in the amount of \$62,500 representing half of the grant towards the development of the Trans Canada Trail.

Judi Riddolls was present on behalf of the Guelph-Wellington Business Enterprise Center and provided information on the number of small businesses they have assisted over the past 10 years.

7. Moved by Councillor Burcher  
Seconded by Councillor Billings

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

Carried

## **REGULAR MEETING**

### **DELEGATIONS**

**Councillor Laidlaw's motion for which notice was given February 23, 2009 with respect to the egg purchasing policy in City owned facilities.**

Stephanie Brown on behalf of the Canadian Coalition for Farm Animals was present in support of Councillor Laidlaw's motion with respect to cage-free eggs. She expressed concern with the use of battery-cages and their effect on the laying hens. She advised that the EU have banned the use of cages within the next three years. She urged Council to support Councillor Laidlaw's motion.

Karen Levenson advised that the codes of practices for egg producers are not mandatory and that some practices that have become the normal are cruel. She suggested that cage-free hens have a better life than hens in battery cages. She asked Council to buy eggs from cage-free suppliers.

Stuart Jackson of Verified Eggs Canada suggested that the demand for cage-free eggs is increasing. He requested that Council support Councillor Laidlaw's motion relating to the purchase of cage-free eggs.

Dr. Mike Petrik of the Ontario Association of Poultry Practitioners advised that his association is opposed to the proposed motion that supports only cage-free eggs. He suggested that the quality of care that a hen receives is more important than its housing. He advised of the



advantages and disadvantages of both cage-free and caged hens. He suggested that it is not right to declare one housing system is better than another.

Len Jewitt was present on behalf of BLT Farms Inc., an egg operation located in the County of Wellington, and advised that the industry is every evolving. He further suggested that the use of cages reduces the ammonia and dust levels in barns and the cage sizes are larger.

Kelly Daynard on behalf of the Ontario Farm Animal Council which represents livestock and poultry farmers, suggested that the individual farm management is what is important not the housing method. She advised of various municipalities which have rescinded or are revising previous motions relating to the purchase of cage-free eggs.

Janet Hueglin Hartwick was present on behalf of the Egg Farmers of Ontario, and advised that her organization represents all types of systems (caged and free range). She stressed that regardless of the type of housing system, the care the hens receive is the most important factor. She expressed concern that the proposed motion attacks the integrity of the farmers who use the conventional cage system.

8. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland

WHEREAS hens confined to battery cages spend their entire lives in extremely small, barren overcrowded wire cages, (approximately 450cm<sup>2</sup> per bird), with five to seven birds confined per cage;

AND WHEREAS birds confined to battery cages can barely move and are denied the opportunity to express natural behaviours, such as nesting, perching, dust bathing, stretching their wings, foraging or escaping an aggressive cage-mate;

AND WHEREAS confinement of hens in battery cages frequently results in frustration-related behaviours, such as feather pecking and cannibalism, as well as feather loss, entrapment of body parts and osteoporosis;

AND WHEREAS there is ample scientific evidence demonstrating hens suffer as a direct consequence of battery systems,

AND WHEREAS no legislative or regulatory remedy exists in Canada to address the compromised welfare of battery-caged hens;

AND WHEREAS numerous European nations have banned battery cages and the European Union is phasing out battery cages by 2012;

AND WHEREAS, according to a 2005 Decima Research Poll, 80% of Canadians feel confining farm animals to small cages that prevent them from turning around is unacceptable, and 94% agree it is important that farm animals be treated humanely;

THEREFORE be it resolved:

“THAT the Council of the City of Guelph resolves to encourage Guelph residents:

- (i) as consumers, to choose cage-free eggs at retail food outlets and restaurants;
  - (ii) as restaurants and caterers in both private and City operations, to make available cage-free eggs on their menus; and
  - (iii) as wholesalers, to highlight and make available cage-free eggs in their food supply inventories; and
  - (iv) as retailers, to highlight the preference for and availability of cage-free eggs in their stores;
- (2) AND THAT the operators and caterers of City-run facilities be requested to use cage-free whole (shell) eggs;
- (3) AND THAT a letter be written to the Provincial Government, Federal Government and the Canadian Food Inspection Agency stating that the Guelph City Council opposes battery cage egg production based on the inherent cruelty of confining egg-laying hens in battery cages.
- (4) AND THAT a letter be written to the Association of Municipalities of Ontario requesting all members to adopt a similar initiative.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillor Laidlaw (1)

VOTING AGAINST: Councillors Beard, Bell, Billings, Burcher, Farrelly, Hofland, Kovach, Piper, Wettstein and Mayor Farbridge (10)

The motion was defeated.

Ms. B. Boisvert 9. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT the scoping of a local food production policy be referred to the Council priority setting session.

Carried

### **Infrastructure Stimulus Fund Projects**

Mark Melo was present on behalf of the Conestoga Heavy Construction Association, and suggested that it is imperative that the tendering procedures be followed for the infrastructure stimulus fund projects.

Mr. H. Loewig 10. Moved by Councillor Hofland  
Ms. M. Neubauer Seconded by Councillor Piper  
THAT Council delegate to the Chief Administrative Officer, or his designate, in conjunction with another member of the Senior Management Team, authority to exercise its administrative powers for the implementation of the City's approved infrastructure stimulus program to September 30, 2009, with such delegation to include:

- Awarding of all construction contracts;
- Retention of professional services where required, i.e. consultants, design, supervision, inspection;
- Retention of contract services, including project managers, project engineers, accounting.

AND THAT in recognition of the mandatory deadline for completion of all infrastructure projects by March 31, 2011, such delegation is to be exercised to the degree possible in accordance with the Ontario Public Buyers Association's Code of Ethics as identified in the City's procurement by-law.

AND THAT the CAO provide regular reports to Council, outlining all actions taken under Council's delegation of authority.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Burcher, Hofland, Piper, Wettstein and Mayor Farbridge (6)

VOTING AGAINST: Councillors Bell, Billings, Farrelly, Kovach and Laidlaw (5)

The motion was carried.

**Metcalfe Street – 2 Hour Parking Zone**

Garry Glowacki expressed concerns regarding safety and the security of the neighbourhood relating to long term parking on Metcalfe Street. He advised that the majority of the residents on the street are in favour of 2 hour parking.

Joe Maltby provided information on staff from the Ellington parking all day on the street. He advised that this causes problem with the residents trying to access and exit their driveways, snow removal and street maintenance. He also expressed concern that this long term parking removes spaces for short term visitors to either the residents on the street or the Ellington.

**Councillor Hofland presented Clause 5 of the Fifth Consent Report of the Emergency Services, Community Services & Operations Committee.**

11. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
Mr. D. McCaughan THAT a variance to the On-Street Parking Changes Convenience Requests Procedure to allow the implementation of a 2 hour parking zone on both sides of Metcalfe Street from Eramosa Road to Pleasant Road be approved.

Carried

**Councillor Hofland presented the balance of the Fifth Consent Report of the Emergency Services, Community Services & Operations Committee.**

**Sidewalk Winter Control Service Review Results**

12. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
Mr. D. McCaughan THAT the report dated June 15, 2009 "Sidewalk Winter Control Service Review Results" be received;

AND THAT staff proceed to develop and implement a one-year pilot program to provide residents with access to deicing/traction material at no cost to encourage a cooperative effort to treat icy conditions on all sidewalks;

AND THAT staff evaluate and report back to Council on the effectiveness of the one-year pilot program to provide residents with access to deicing/traction material.

Carried

### **Open Air Urinals**

13. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT in conjunction with the Night Life Task Force, staff proceed to introduce an open air urinal on Macdonell Street in the vicinity of Wyndham Street during summer 2009 on a trial basis to evaluate its effectiveness and to assess public acceptance of this type of public facility;

AND THAT staff seek sponsorship of the open-air urinal evaluation from downtown stakeholders;

AND THAT staff speak with the Guelph Police Services with respect to increasing police enforcement during the pilot project.

14. Moved in Amendment by Councillor Piper  
Seconded by Councillor Bell

THAT provision of an open-air urinal be subject to the City receiving full sponsorship of the cost from the business stakeholders involved.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Bell, Billings, Farrelly, Kovach, Laidlaw, Piper, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Beard, Burcher and Hofland (3)

The motion was carried.

15. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

Mr. D. McCaughan

THAT in conjunction with the Night Life Task Force, staff proceed to introduce an open air urinal on Macdonell Street in the vicinity of Wyndham Street during summer 2009 on a trial basis to evaluate its effectiveness and to assess public acceptance of this type of public facility;

AND THAT provision of an open-air urinal be subject to the City receiving full sponsorship of the cost from the business stakeholders involved;

AND THAT staff speak with the Guelph Police Services with respect to increasing police enforcement during the pilot project.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Hofland, Laidlaw, Piper and Mayor Farbridge (8)

VOTING AGAINST: Councillors Billings, Kovach and Wettstein (3)

The motion was carried.

Mr. D. Corks  
Ms. L.E. Payne  
Mr. D. McCaughan

16. Moved by Councillor Kovach  
Seconded by Councillor Billings  
THAT staff start discussions with the Province on changes to liquor licensing regulations;

AND THAT staff request that the set fine be increased for fouling on public property.

Carried

**Councillor Burcher presented Clause 1 of the Governance Committee Third Consent Report.**

**Options for Improving Telephone Customer Service**

Mrs. L.A. Giles  
Ms. M. Neubauer

17. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT staff be directed to bring forward a proposal in the 2010 budget for City of Guelph "live answer" with a focus on those calls requiring a higher level of assistance, and preparation of short and long term range plans in keeping with the customer service strategy.

Carried

**Consent Agenda**

**Award Contract to Devlan Construction Ltd. – General Construction Services for the Construction of a South End Emergency Services Facility**

Chief S. Armstrong  
Ms. M. Neubauer  
Chief R. Davis

18. Moved by Councillor Billings  
Seconded by Councillor Wettstein  
THAT the City of Guelph award the contract for General Construction Services for the building of the new South End Emergency Services Station, to Devlan Construction, of Guelph, Ontario, in the total amount of \$8,993,000.00 exclusive of GST @5% (100% refundable);

AND THAT Procurement and Risk Management Services be authorized to issue the necessary purchase order;

AND THAT Finance be authorized to issue a maximum of \$8.1 million in debt for a term between 10 to 25 years;

AND THAT the Mayor and Clerk be authorized to sign the CCDC 2- 1994, Form of Agreement between Client and General Contractor, amended by the Supplemental Conditions, subject to the satisfaction of the Director of Emergency Services and the City Solicitor.

Carried

**Resolution from the City of Pickering re:  
Harmonized Sales Tax**

Premier McGuinty  
Ms. D. Wilcox  
AMO  
Ms. L. Sandals

19. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

WHEREAS this harmonized sales tax will negatively impact all consumers, young and old, married or single, by implementing the proposed harmonized tax to almost all goods and services that were previously exempt from PST;

AND WHEREAS the 8% PST will be added to items such as, but not limited to, gasoline, home heating fuel, water, hydro, used cars, real estate commissions, home renovations, personal services, chiropractor, massage therapy, consultants, lawyers fees, prescriptions, registration fees and memberships for recreational services used by seniors and children;

THEREFORE BE IT RESOLVED THAT we, the Council of the City of Guelph, appeal to the Province of Ontario to stop the implementation of the proposed Provincial Harmonized Sales Tax until more public consultation and input is received;

AND BE IT FURTHER RESOLVED THAT we, the Council of the City of Guelph, request that AMO lobby the Province of Ontario on our behalf, and that a copy of this resolution be sent to the Council of the City of Pickering.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillor Billings, Burcher, Farrelly, Hofland, Kovach, Laidlaw, Piper and Wettstein (8)

VOTING AGAINST: Councillors Beard, Bell and Mayor Farbridge (3)

The motion was carried.

20. Moved by Councillor Hofland  
Seconded by Councillor Beard

THAT the Committee rise with leave to sit again.

Carried

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

Carried

**BY-LAWS**

22. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw  
THAT By-laws Numbered (2009)-18804 to (2009)-18816,  
inclusive, are hereby passed.

Carried

**QUESTIONS**

Councillor Kovach requested that when submissions are  
presented to Council, that the presenter's name and/or  
the organization they represent are included with the  
material.

**ADJOURNMENT**

The meeting adjourned at 10:55 o'clock p.m.

Minutes read and confirmed July 27, 2009.

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Mayor

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Clerk