

Committee Room "A"
June 28, 2010 5:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Bell, Billings, Burcher and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; 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 Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Resignation from the Guelph Economic Development Advisory Committee

S. 239 (2) (b) Personal Matters about an Identifiable Individual

Downtown Transit Terminal – Land Acquisition

S. 239 (2) (c) Proposed or Pending Acquisition or Disposition of Land

Union Negotiations

S. 239 (2) (d) Labour Relations or Employee Negotiations

Staffing Issues

S. 239 (2) (b) Personal Matters about Identifiable Individuals

Carried

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

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Mayor

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Clerk

Committee Room "A"
June 28, 2010 5:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent: Councillor Billings

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. M. Anders, General Manager of Community Connectivity and Transit; Mr. R. Henry, City Engineer; Mr. G. Hunt, Manager of Labour Relations, Health, Safety & Wellness; Mr. J. Stokes, Manager of Realty Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Personal Matters about an Identifiable Individual

- 1. Moved by Councillor Kovach
Seconded by Councillor Hofland
THAT the correspondence from Scott Richardson advising of his resignation from the Guelph Economic Development Advisory Committee be received with regret.

Mr. P. Cartwright
Mrs. L.A. Giles

Carried

Proposed or Pending Acquisition of Land

- 2. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT the report of the Manager of Realty Services, the City Engineer, and the General Manager of Transit entitled "Carden Street Transit Terminal – Land Acquisition and Project Implications" dated June 28, 2010 be received for information.

Mr. J. Stokes
Mr. J. Riddell
Ms. A. Pappert

Carried

Labour Relations or Employee Negotiations

Mr. M. Amorosi

3. Moved by Councillor Kovach
Seconded by Councillor Salisbury
THAT staff be given direction with respect to employee negotiations.

Carried

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

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Mayor

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Clerk

Council Chambers
June 28, 2010

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

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

Absent: Councillor Billings

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; 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.

PRESENTATIONS

The Mayor presented Graham Fach with a City of Guelph medal in recognition of his winning the Youth Bowling Council of Canada National Championship and representing Canada at the Americas tournament to be held in Florida later this year.

Roger Smith from Fleet Challenge Ontario presented the Mayor with the E3 Fleet Rating Silver Award.

1. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT the minutes of the Council meetings held on May 20, 25 and June 7, 2010 and the minutes of the Council meetings held in Committee of the Whole on May 25 and June 7, 2010 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

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

- CDES-3 Orin Red Park Conceptual Master Plan

Councillor Piper presented the balance of the Community Development & Environmental Services Committee Fifth Consent Report.

2. Moved by Councillor Piper
Seconded by Councillor Burcher

THAT the balance of the June 28, 2010 Community Development & Environmental Services Committee Fifth Consent Report as identified below, be adopted:

- a) **Municipal Property and Building Commemorative Naming Annual Report**

Mr. J. Riddell

THAT the Community Design and Development Services Report 10-33 dated May 19, 2010, pertaining to the Municipal Property and Building Commemorative Naming Annual Report, be received;

AND THAT the names proposed by the Naming Committee for assets listed in Appendix 1 of Report 10-33 dated April 19, 2010, be approved;

AND THAT Resolution #5 adopted by Council at their meeting of November 20, 2006 with respect to their support in principle of dedicating the proposed City open space at 59 Carden Street in front of the future POA Courthouse to Edward Johnson, be rescinded;

AND THAT staff be directed to proceed with finding an alternative asset to recognize Edward Johnson and work with Parks Canada and the Edward Johnson Music Foundation to appropriately locate the existing Edward Johnson plaque;

AND THAT staff be directed to examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize fallen police and firefighters in a future park or public space;

AND THAT staff be directed to examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize officers of the Guelph Correctional Centre in a future park or public space within the York District Lands development.

b) Downtown Façade Improvement Grants 2010

Mr. I. Panabaker
Ms. M. Neubauer

THAT the Downtown Renewal report dated June 21, 2010, regarding the Downtown Community Improvement Plan Façade Improvement Grants, be received;

AND THAT the first round of Downtown Façade Improvement Grants be awarded as listed in Appendix A attached to this report, for a total City of Guelph commitment of \$127,434.95 towards 16 applications;

AND THAT the remainder of \$12,565.05 in Capital Account SS20009 be carried forward in that account for future Downtown Guelph CIP programmes.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Councillor Beard presented the balance of the Finance, Administration & Corporate Services Committee Fifth Consent Report.

3. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT the balance of the June 28, 2010 Finance, Administration & Corporate Services Committee Fifth Consent Report as identified below, be adopted:

a) **Business License By-law Annual Fees Review**

Mrs. L.A. Giles

THAT the information report of the Director of Information Services/ Clerk regarding the annual review of business licensing fees dated June 14, 2010, be received;

AND THAT the inspection and application, new application for business license and renewal of business license fees remain at the current rates for the 2011 licensing period.

b) **Request from City of Kawartha Lakes for Financial Assistance for an Appeal to the Environmental Tribunal**

Mayor R. McGee
Ms. M. Neubauer

THAT the request from Kawartha Lakes requesting financial assistance with respect to an appeal to the Environmental Tribunal, be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Governance Committee Fifth Consent Report to be voted on separately:

- GOV-4 City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework

Councillor Findlay presented the balance of the Governance Committee Fifth Consent Report.

4. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the balance of the June 28, Governance Committee Fifth Consent Report as identified below, be adopted:

a) **2010 Council Orientation and Professional Development**

Mrs. L.A. Giles

THAT the proposed 2010 Council Orientation and Professional Development plan be approved.

b) **Delegation of Authority**

Mrs. L.A. Giles

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedules "N" and "O" attached to the report of the Director of Information Services/Clerk, dated June 14th, 2010.

c) **Corporate Performance Reporting Practices**

Mr. H. Loewig
Ms. B. Boisvert

THAT the progress report on Corporate Performance Reporting practices, be received;

AND THAT staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders;

AND THAT staff be directed to develop a corporate wide framework for reporting.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Councillor Laidlaw presented the Social Services & Housing Committee Fourth Consent Report.

5. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

THAT the balance of the June 28, 2010 Social Services & Housing Committee Fourth Consent Report as identified below, be adopted:

a) **Staff Support to City Social Services & Housing Committee**

Ms. A. Pappert
Mr. H. Loewig

THAT the Director of Community Services be assigned the responsibility to lead the development of a constructive

Ms. M. Neubauer

working relationship between the Consolidated Municipal Services Manager (CMSM) and the City of Guelph through the Community Services Department;

AND THAT the Director of Community Services provides the City's Social Services and Housing Committee with a work plan and request for required resources in the summer of 2010.

b) **Best Start Operating and Capital Reserve Fund**

Mr. S. Wilson
Ms. M. Neubauer

THAT the Best Start Reserve fund be used to support City/County eligible expenditures in the same proportion as the proportion of City/County children benefitting from prescribed programs in 2005 and 2006, when the grant was originally received:

AND THAT the County be requested to restore the City share of Provincial and Federal funds to the Best Start Reserve Fund, including interest, and to use its own source funds for the portion of the Mount Forest Child Care Centre (a discretionary service) that would exceed its proportion of the Best Start Reserve Fund.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the June 28, 2010 Consent Agenda to be voted on separately:

- A-1 – Proposed Demolition of 66-68 Bagot Street
- A-3 – Guelph Transit Terminal: Carden Street Operations
- A-4 – Carden Street Transit Terminal – Costs and Implications

6. Moved by Councillor Kovach
Seconded by Councillor Wettstein

THAT the balance of the June 28, 2010 Council Consent Agenda as identified below, be adopted:

- a) **Memorandum of Understanding between the Province of Ontario and the City of Guelph – Guelph Innovation District**

Mr. P. Cartwright

THAT Guelph City Council receive the report of June 28, 2010 prepared by the Department of Economic Development and Tourism Services with respect to the Memorandum of Understanding for the Guelph Innovation District;

AND THAT Guelph City Council authorizes the Mayor to execute the Memorandum of Understanding for the Guelph Innovation District as described in this report prepared by the Department of Economic Development and Tourism Services.

B Items for Direction of Council

1) **Guelph Junction Railway 2009 Audited Financial Statements**

Ms. M. Neubauer

THAT the presentation of the Guelph Junction Railway 2009 Financial Statements be deferred to August 30, 2010.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

DELEGATIONS

Guelph Transit Terminal – Carden Street Operations

Dave Kesler of R.J. Burnside & Associates Limited was present and provided an overview of the development of the design for the Guelph Transit Terminal. He highlighted the advantages of the Carden Street site, the site features and the proposed Carden Street operations.

Parimil Gandhi on behalf of the Travel Lodge expressed concern with the closing of Carden Street to traffic. He advised that people who have difficulty finding his business and he would like something quieter for his guests.

Councillor Burcher presented Report A-3 that was extracted from the Consent Agenda.

- 7. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

Mr. J. Riddell
Ms. A. Pappert

THAT the Community Design and Development Services Report dated June 22, 2010, be received;

Mr. D. McCaughan

AND THAT Council authorize staff to prepare an amending By-law, to Traffic By-law (2002)-17017, to restrict vehicular traffic and allow only buses, delivery vehicles, and drop-off and pick-up taxi cabs on Carden Street, east of Wyndham Street, as part of the operation of the new Transit Terminal on Carden Street.

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

VOTING AGAINST: Councillors Bell, Farrelly, Kovach and Salisbury (4)

Carried

Orin Reid Park Conceptual Master Plan

Councillor Piper presented Clause 3 that was extracted from the Community Development & Environmental Services Committee Consent Report.

8. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT the Community Design and Development Services Report 10-67 dated June 22, 2010, pertaining to the Conceptual Master Plan for Orin Reid Park, be received;

AND THAT the Conceptual Master Plan for the Orin Reid Park, as noted in Appendix 4 of the Community Design and Development Services Report 10-67, dated June 22, 2010, be approved;

AND THAT staff be directed to proceed with the implementation of Phase One of the Orin Reid Park Conceptual Master Plan.

9. Moved by Councillor Wettstein
Seconded by Councillor Bell
THAT the matter of the Conceptual Master Plan for Orin Reid Park be referred back to staff for further investigation of other uses and the positioning of the parking lot.

VOTING IN FAVOUR: Councillors Bell, Farrelly and Wettstein (3)

VOTING AGAINST: Councillors Beard, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper and Mayor Farbridge (8)

Councillor Salisbury was not present in the Chambers when the vote was taken.

Defeated

Mr. J. Riddell

10. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT the Community Design and Development Services Report 10-67 dated June 22, 2010, pertaining to the Conceptual Master Plan for Orin Reid Park, be received;

AND THAT the Conceptual Master Plan for the Orin Reid Park, as noted in Appendix 4 of the Community Design and Development Services Report 10-67, dated June 22, 2010, be approved;

AND THAT staff be directed to proceed with the implementation of Phase One of the Orin Reid Park Conceptual Master Plan.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Mayor Farbridge (11)

VOTING AGAINST: Councillor Wettstein (1)

Carried

**City of Guelph Holding Company Design;
Memorandum of Intentions (MOI) for
Implementation of Community Energy Plan (CEP)
Projects; and Guelph Hydro Inc. (GHI) Leasing
Framework**

It was requested that the clauses 1 and 2 and 3, 4 and 5 be voted on separately.

Councillor Findlay presented Clause 4 that was extracted from the Governance Committee Consent Report.

Mr. H. Loewig

11. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study, be approved;

AND THAT staff be directed to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process.

VOTING IN FAVOUR: Councillors Beard, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Bell and Farrelly (2)

Carried

Mr. H. Loewig

12. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI) be approved;

AND THAT the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI;

AND THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Proposed Demolition of 66-68 Bagot Street

Councillor Wettstein presented Report A-1 that was extracted from the Consent Agenda.

Mr. J. Riddell

13. Moved by Councillor Wettstein
Seconded by Councillor Burcher
THAT Report 10-63 regarding the proposed demolition of a legal non-confirming triplex at 66-68 Bagot Street, City of Guelph, from Community Design and Development Services dated June 28, 2010, be received;

AND THAT the proposed demolition of the legal non-confirming triplex at 66-68 Bagot Street, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Carden Street Transit Terminal – Costs and Implications

Councillor Burcher presented Report A-4 that was extracted from the Consent Agenda.

Mr. J. Stokes
Ms. A. Pappert
Mr. J. Riddell

14. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

THAT the 2010 Capital Budget be amended to include the VIA Station Renovation and Upgrade Project in the amount of \$600,000 to be funded from the Infrastructure Stimulus Fund Contingency.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Kovach (1)

Carried

SPECIAL RESOLUTION

Carden Street Transit Terminal – Land Acquisition

It was requested that the clauses 1, 2 and 3 and clauses 4 and 5 be separated and voted on separately.

Mr. J. Stokes
Ms. A. Pappert
Mr. J. Riddell

15. Moved by Councillor Burcher
Seconded by Councillor Findlay

THAT, if continued negotiations are unsuccessful, expropriation proceedings be commenced regarding the realignment of Carden Street for the acquisition of the fee simple interest in the lands described as Part of Lots 1 and 2, Plan 8, City of Guelph, being more particularly identified as Part 24 on a draft reference plan 09-8247-5 prepared by Black, Shoemaker, Robinson & Donaldson Limited dated June 1, 2010 for the purpose of realigning Carden Street and works ancillary thereto;

AND FURTHER THAT the necessary by-law and Application for Approval to Expropriate Land be presented to City Council;

AND FURTHER THAT following service and publication of the Notice of Application for Approval to Expropriate Land, the Application for Approval to Expropriate Land and recommendation of an inquiry be reported to Council for its decision as the approval authority under the Expropriations Act.

VOTING IN FAVOUR: Councillors Beard, Burcher, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell, Farrelly and Kovach (3)

Carried

Mr. J. Stokes
Ms. A. Pappert
Mr. J. Riddell

16. Moved by Councillor Burcher
Seconded by Councillor Findlay

THAT the Mayor and Clerk be authorized to execute an agreement between the City and Canadian National Railway to acquire lands required for the Carden Street Transit Terminal, subject to the form and consent being satisfactory to the City Engineer and the City Solicitor;

AND THAT the Mayor and Clerk be authorized to execute an agreement between the City and VIA Rail to acquire the VIA Station building at 79 Carden Street, subject to the form and content being satisfactory to the City Engineer and the City Solicitor.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Kovach (1)

Carried

BY-LAWS

17. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT By-laws Numbered (2010)-19020 to (2010)-19040, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

MAYOR'S ANNOUNCEMENTS

The Mayor announced that the new hospice facility was officially opened last week.

ADJOURNMENT

The meeting adjourned at 8:55 o'clock p.m.

Minutes read and confirmed July 26, 2010.

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Mayor

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Clerk

Committee Room "A"
June 28, 2010, 9:00 p.m.

Council reconvened in the closed meeting.

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

Absent: Councillor Billings

Staff Present: Mr. H. Loewig, Chief Administrative Officer

Personal Matters about an Identifiable Individual

The Chief Administrative Officer provided the Committee with information.

The meeting adjourned at 9:50 o'clock p.m.

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Mayor

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Clerk