

Council Caucus Room
September 28, 2009 5:30 p.m.

A meeting of Guelph City Council.

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

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; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Billings
Seconded by Councillor Findlay
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Litigation Status Report

S. 239 (2) (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality

Non-Union Compensation

S. 239 (2) (d) labour relations or employee negotiations

Resignation from the Accessibility Advisory Committee

S. 239 (2) (b) personal matters about identifiable individuals including municipal or local board employees

Hanlon Creek Business Park

S. 239 (2) (a) and (e) the security of the property of the municipality or local board / litigation or potential litigation, including matters before administrative tribunals, affecting the municipality

Former Delhi Community Centre Property - 65 Delhi Street

S. 239 (2) (c) proposed or pending acquisition or disposition of land

CAO's Objectives

239 (2) (b) personal matters about identifiable individuals including municipal or local board employees

Carried

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

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Mayor

.....
Clerk

Council Caucus Room
September 28, 2009 5:32 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher (arrived 5:40 p.m.), Farrelly, Findlay, Hofland, Kovach, Laidlaw, Laidlaw (arrived 5:40 p.m.), Salisbury and Wettstein

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; 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.

Security of the property of the municipality / litigation or potential litigation

Staff provided an overview.

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

1. Moved by Councillor Hofland
Seconded by Councillor Burcher
THAT the Economic Development & Tourism report dated September 28, 2009 with respect to the Hanlon Creek Business Park – Security of Property Update, be received.

Carried

Litigation or potential litigation

Ms. L.E. Payne

2. Moved by Councillor Laidlaw
Seconded by Councillor Salisbury
THAT the Litigation Status Report dated September 21, 2009, be received for information.

Carried

Labour relations or employee negotiations

Mr. M. Amorosi

3. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT staff be given direction with respect to Non-Union compensation.

Carried

Personal matters about identifiable individuals

Mrs. L.A. Giles

4. Moved by Councillor Kovach
Seconded by Councillor Hofland
THAT the correspondence received from Patricia Ann Morgan Candlish advising of her resignation from the Accessibility Advisory Committee be received with regret.

Carried

Proposed or pending acquisition or disposition of land

Ms. L.E. Payne

5. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT staff be given direction with respect to security of property of the municipality.

Carried

Personal matters about identifiable individuals

Council discussed the CAO's objectives.

The meeting adjourned at 6:30 o'clock p.m.

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Mayor

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Clerk

Council Chambers
September 28, 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: 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; 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.

PRESENTATION

The Mayor presented City of Guelph Medals to following members of the Guelph Regals Bantam 1 Lacrosse Team in recognition of winning the Provincial "A" Championship: Dante Miller, Nick Peluso, Logan Currie, Jake Cook, Joel Hastie, Cameron Allen, Brody Milne, Zack McClure, Colin Booth, Chris Cobham, Owen White, Matt Austriaco, Sam Natale, Nathan McKenzie, Zach Taylor, Braewyn Bird-Hesse, Steve Domenichini and Coaches Randy Milne, Ken

Cook, Tony Carvalho, Ken Hastie, Trainer – Tracy Cobham and Manager Kathy Taylor

1. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

THAT the minutes of the Council Meeting held on July 27, 2009 be amended by

- Closed Session - changing Resolution #3 to read three years instead of two years, to reflect what is contained within in the Shareholders Declaration
- Page 188 to reflect Councillor Wettstein moving and Councillor Findlay seconding Resolution #2;

AND THAT the minutes of the Council Meetings held July 22, 27 and September 8, 2009 and the minutes of the Council meeting held in Committee of the Whole on July 27 and September 8, 2009 be confirmed as amended and without being read.

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 AGENDAS

The following item was extracted from Community Development & Environmental Services Committee Sixth Report to Council:

- CDES 2 – Community Energy Plan – Mayor's Task Force on Community Energy

Councillor Burcher presented the balance of the Community Development & Environmental Services Committee Sixth Consent Report.

2. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the balance of the September 28, 2009 Community Development & Environmental Services Committee Sixth Consent Report as identified below, be adopted:

- a) **Victoria Road North (Woodlawn Road to Speed River): Environmental Assessment & Reconstruction**

Mr. J. Riddell

THAT the Community Design and Development Services Report 09-79, on 'Victoria Road North (Woodlawn Road to

Speed River): Environmental Assessment and Reconstruction', dated September 21, 2009 be received;

AND THAT staff be authorized to proceed with the reconstruction of Victoria Road North including the following improvements as outlined in this report:

- a) Reconstruction of the Victoria Road/Woodlawn Road intersection;
- b) Improvements to the mid-block section as identified in the Victoria Road North Secondary Plan; and
- c) Canoe-launch area and trail accesses in the vicinity of the Speed River.

b) **River Valley Development Dolime Site – Update Report**

Dr. J. Laird
Mayor Farbridge

THAT the report of the Director of Environmental Services, dated September 21, 2009 entitled 'Update on the River Valley Development Dolime Site', be received.

AND THAT the Mayor write to the Minister of Natural Resources and the Minister of the Environment regarding City Council's significant concerns with the current quarry operations at the "Dolime" site owned by River Valley Development Inc. and the threat to the City's groundwater resource due to the current mining of the aquitard formation which protects the groundwater aquifer.

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

VOTING AGAINST: (0)

Carried

The following items were extracted from Emergency Services, Community Services & Operations Committee Sixth Report to Council:

- ECO-2 Farmers' Market By-law Operational Review
- ECO-3 Elizabeth Street Pavement Markings

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

3. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the balance of the September 28, 2009 Emergency Services, Community Services & Operations Committee Sixth Consent Report as identified below, be adopted:

a) **Snow Angel Pilot Program**

Mr. D. McCaughan

THAT the Operations Department report of September 21, 2009 'Snow Angels Pilot Program' be received;

AND THAT the Mayor and City clerk be authorized to execute an agreement with the Volunteer Center of Guelph Wellington to extend the Snow Angels Pilot Program through the 2009-2010 winter season.

b) **Cardigan Street On-Street Parking Request**

Mr. D. McCaughan

THAT the report on the existing parking regulations on Cardigan Street between Norwich Street East and London Road East be received;

AND THAT no further action be undertaken at this time to provide additional on-street parking on Cardigan Street between Norwich Street East and London Road East.

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

VOTING AGAINST: (0)

Carried

The following item was extracted from Finance, Administration & Corporate Services Committee Fifth Report to Council:

- FACS-2 Operating Budget Variance Report as at July 31, 2009

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

4. Moved by Councillor Beard
Seconded by Councillor Wettstein

THAT the balance of the September 28, 2009 Finance, Administration & Corporate Services Committee Fifth Consent Report as identified below, be adopted:

a) **City of Guelph Response to Proposed Standard for Accessible Built Environment**

Ms. L.E. Payne

THAT staff be directed to prepare and forward a response to the Ministry of Community and Social Services' request for feedback regarding the Provincial Accessible Built Environment Standards Development Committee's draft standard.

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

VOTING AGAINST: (0)

Carried

The following items were extracted from Governance Committee Fifth Report to Council:

- GOV-1 Guiding Principles for Resident Appointments to Special Purpose Bodies
- GOV-2 Special Purpose Bodies

Councillor Piper presented the balance of the Land Ambulance Committee First Consent Report.

5. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the September 28, 2009 Land Ambulance Committee First Consent Report as identified below, be adopted:

a) **Committee Mandate and Charter**

Mr. S. Armstrong

THAT the Land Ambulance Committee Mandate and Charter, as amended, attached as Appendix 1 be approved.

b) **Land Ambulance Service – Balancing Coverage**

Mr. S. Armstrong
Ms. D. Van Wyck
Ms. M. Neubauer
Ms. L.E. Payne

THAT the report regarding Land Ambulance Service – Balancing Coverage dated September 9, 2009 be received;

AND THAT Wellington County Fire Services continue to receive funding for medical supplies and equipment as necessary to support tiered fire department responses to medical emergencies as part of an overall emergency 1st responder program;

AND THAT the Ontario Association of Fire Chiefs and the Ontario Professional Firefighters Association Discussion Paper, Saving Life in 6.0 Minutes or Less by utilizing the efficiencies of the Ontario Fire Service be received for information;

AND THAT staff be instructed to contact the Ministry of Health and Long Term Care, (MOHLTC), and request that the Central Ambulance Communications Centre dispatch

EMS and Fire life saving resources simultaneously in order to improve response times to the patient;

AND THAT Guelph Wellington Emergency Medical Service and County Fire medical response times are reported to the Land Ambulance Committee on a quarterly basis commencing October 1, 2009.

AND THAT the request for an ambulance in Erin be referred to the City of Guelph 2010 budget process.

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 Sixth Consent Report

6. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the September 28, 2009, Council as Committee of the Whole Sixth Consent Report, as identified below, be adopted:

- a) **Citizen Appointment to Board of Directors of Guelph Hydro Inc.**

Mrs. L.A. Giles

THAT William E. Koornstra be appointed to the Board of Directors of Guelph Hydro Inc. for a three year term.

- b) **Citizen Appointments as Directors of Downtown Guelph Business Association**

Mrs. L.A. Giles

THAT Ali Asaria, Lorenz Calcagno and Charles R. Davidson be appointed as Directors to the Downtown Guelph Business Association for a one year term;

AND THAT Charles Cunningham be appointed to the Downtown Guelph Business Association to replace Brenda Whiteside as the University of Guelph representative.

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

The following item was extracted from the Consent Agenda to be voted on separately:

- B-1 Regional of Waterloo International Airport – Aeronautical Noise Management Committee request for City appointment

7. Moved by Councillor Kovach
Seconded by Councillor Billings

THAT the balance of the September 28, 2009 Council Consent Agenda as identified below, be adopted:

a) **Proposed Demolition of 14 William Street**

Mr. J. Riddell
Mr. B. Poole

THAT Report 09-81 regarding the proposed demolition of a detached dwelling at 14 William Street, City of Guelph, from Community Design and Development Services dated September 28, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 14 William Street, 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

DELEGATIONS

Farmers' Market By-law Operational Review

Diane Hurst on behalf of Friends of the Farmers' Market was present expressed concern with the enforceability of the stringent selling times. She also expressed concern with the lack of community input and suggested that a mediated process between the stakeholders would work the best and would allow for freedom of expression. She suggested that the report needs more input from the community before being passed.

Councillor Hofland presented Clause 2 of the Sixth Consent Report of the Emergency Services, Community Services & Operations Committee.

Mr. D. McCaughan

8. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the September 21, 2009 Emergency Services, Community Services and Operations Committee report 'Guelph Farmers' Market Operating Review' be received;

AND THAT the report be approved for implementation with the exception of the insurance clause, which is referred back for a report from staff at the next committee meeting.

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

VOTING AGAINST: Councillor Laidlaw (1)

Carried

Elizabeth Street Pavement Markings

Shayne Campbell and Judy Macerollo were present and expressed concern with the removal of on-street parking and the marking of bicycle lanes. They advised that the majority of the residents do not support this change and that no data was provided to them as to the results of the survey.

Rob Hingston expressed concern with the proposed Elizabeth Street marking. He expressed concern with the lack of statistics provided to the community. He further suggested that there is not a large volume of cyclists using this portion of Elizabeth Street.

Cosmo Carere was present on behalf of the Cycling Action Committee and advised that the committee was not involved in this issue. He suggested that the staff recommendation should be approved as Elizabeth Street is designated as a cycling route in the Official Plan. He urged Council to adopt the recommendation.

Councillor Hofland presented Clause 3 of the Sixth Consent Report of the Emergency Services, Community Services & Operations Committee.

Mr. D. McCaughan

9. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT the existing pavement markings on Elizabeth Street between Arthur Street South and Stevenson Street South be remarked to include bicycle lanes on both sides of Elizabeth Street;

AND THAT a "No Parking Anytime" restriction be implemented on the north side of Elizabeth Street between Arthur Street South and Stevenson Street.

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

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

Mr. D. McCaughan

10. Moved by Councillor Hofland
Seconded by Councillor Burcher

THAT staff be directed to review the manner of conducting surveys and the method of reporting the results to Council and the public.

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

VOTING AGAINST: (0)

Carried

Community Energy Plan – Mayor’s Task Force on Community Energy

Rob Kerr, Community Energy Project Manager provided background information on the Community Energy Plan. He also provided information on scale projects and the need for stakeholder engagement and governance.

Councillor Burcher presented Clause 2 of the Sixth Consent Report of the Community Development & Environmental Services Committee.

Dr. J. Laird
Mr. J. Riddell
Mayor Farbridge
Mr. H. Loewig

11. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the Report of the Directors of Environmental Services and Community Design and Development, dated September 21, 2009 with respect to the Community Energy Plan – Mayor’s Task Force, be received for information;

AND THAT Council approve the creation of a Mayor’s Task Force on Community Energy to provide a governance structure to the multi-stakeholder implementation of the Community Energy Plan;

AND THAT the management and administration of the Task Force be under the direction of the City's Chief Administrative Officer in consultation with the Mayor's office;

AND THAT Council receive quarterly update reports from the Task Force.

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 Clause 2 of the Fifth Consent Report of the Finance, Administration & Corporate Services Committee.

Operating Budget Variance Report as at July 31, 2009

12. Moved by Councillor Beard

Seconded by Councillor Wettstein

THAT the Finance report dated September 14, 2009 entitled 'Operating Budget Variance Report as at July 31, 2009, be received;

AND THAT staff be encouraged to continue to develop further mitigation efforts to offset negative variances.

13. Moved in Amendment by Councillor Piper

Seconded by Councillor Findlay

That the words "to protect reserves" be added to the 2nd clause.

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

VOTING AGAINST: (0)

Carried

14. Moved by Councillor Beard

Seconded by Councillor Wettstein

THAT the Finance report dated September 14, 2009 entitled 'Operating Budget Variance Report as at July 31, 2009, be received;

Ms. M. Neubauer

AND THAT staff be encouraged to continue to develop further mitigation efforts to offset negative variances and to protect reserves.

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 Burcher presented the Governance Committee Fifth Consent Report.

Guiding Principles for Resident Appointments to Special Purpose Bodies

It was requested that the clauses be vote on separately.

15. Moved by Councillor Burcher
Seconded by Councilor Findlay

Mrs. L.A. Giles

THAT the following draft documents, as amended, related to special purpose bodies included in the report of the Director of Information Services dated September 14, 2009 be approved:

- Advisory Committees Policy
- Advisory Committee Resident Appointments – Guiding Principles
- Agencies, Boards and Commissions/Committees (ABC's) Resident Appointments – Guiding Principles.

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

VOTING AGAINST: (0)

Carried

16. Moved by Councillor Burcher
Seconded by Councillor Findlay

Mrs. L.A. Giles

THAT the policy with respect to the maximum number of years a resident may serve on any particular special purpose body be amended to a maximum number of 8 consecutive years for those who are appointed for the first time to a special purpose body following adoption of this policy.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Salisbury and Wettstein (9)

VOTING AGAINST: Councillors Billings, Kovach, Piper and Mayor Farbridge (4)

Carried

Integrity Commissioner

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

17. Moved by Councillor Burcher
Seconded by Councillor Hofland
THAT staff prepare a budget package for contracting the services of an Integrity Commissioner for consideration during the 2010 operating budget deliberations.

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

VOTING AGAINST: Councillor Farrelly (1)

Councillor Findlay was not present in the Council Chambers when the vote was taken.

Carried

Extracted Items from the Consent Agenda

Region of Waterloo International Airport – Aeronautical Noise Management Committee, request for City appointment

Mrs. L.A. Giles
Mayor Farbridge

18. Moved by Councillor Kovach
Seconded by Councillor Wettstein
THAT the request from the Region of Waterloo International Airport – Aeronautical Noise Management Committee for the City to appoint a representative be referred to the Governance Committee for consideration and recommendation.

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

VOTING AGAINST: (0)

Councillor Findlay was not present in the Council Chambers when the vote was taken.

Carried

BY-LAWS

19. Moved by Councillor Piper
Seconded by Councillor Wettstein
THAT By-laws Numbered (2009)-18852 to (2009)-18873,
inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Councillor Findlay was not present in the Council
Chambers when the vote was taken.

Carried

NOTICE OF MOTION

Councillor Kovach advised that at a future meeting of
Council she will be presenting a motion with respect to
signage on City property.

ADJOURNMENT

The meeting adjourned at 9:30 o'clock p.m.

Minutes read and confirmed October 26, 2009.

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Mayor

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Clerk