

Council Committee Room B  
November 24, 2008 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: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; 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. J. Riddell, Director of Community Design and Development Services; Mr. D. Bush, Temporary Manager Recruitment & Development; 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 Farrelly  
Seconded by Councillor Salisbury

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

- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of property;
- labour relations or employee negotiations;
- litigation or potential litigation.

Carried

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

.....  
Mayor

.....  
Clerk

Council Committee Room B  
November 24, 2008 5:32 p.m.

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

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

Absent: Councillor Burcher

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; 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. J. Riddell, Director of Community Design and Development Services; Mr. D. Bush, Temporary Manager Recruitment & Development; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. R. Henry, City Engineer; Mr. G. Hunt, Manager of Employee/ Employer Relations, Assistant Director of Human Resources; Ms. T. Sinclair, Manager of Legal 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**

There were no declarations of pecuniary interest.

The Manager of Employee/ Employer Relations, Assistant Director of Human Resources provided the Committee with information.

1. Moved by Councillor Salisbury  
Seconded by Councillor Kovach

THAT staff be given direction with respect to employee negotiations.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Bell, Billings, Kovach and Salisbury (4)

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

The motion was defeated.

2. Moved by Councillor Farrelly  
Seconded by Councillor Wettstein  
THAT staff be given direction with respect to employee negotiations.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Farrelly, Findlay, Wettstein and Mayor Farbridge (4)

VOTING AGAINST: Councillors Beard, Bell, Billings, Hofland, Kovach, Laidlaw, Piper and Salisbury (8)

The motion was defeated.

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

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Farrelly, Findlay, Hofland, Laidlaw and Mayor Farbridge (6)

VOTING AGAINST: Councillors Bell, Billings, Kovach, Piper, Salisbury and Wettstein (6)

The motion was lost due to a tied vote.

4. Moved by Councillor Piper  
Seconded by Councillor Laidlaw  
THAT staff be given direction with respect to employee negotiations.

Mr. M. Amorosi

A recorded vote was requested, which resulted as follows:

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

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

The motion was carried.

5. Moved by Councillor Laidlaw  
Seconded by Councillor Kovach  
THAT staff be given direction with respect to a litigation matter.

Mr. J. Riddell  
Ms. L.E. Payne

Carried

Mr. J. Riddell  
Ms. L.E. Payne

6. Moved by Councillor Laidlaw  
Seconded by Councillor Billings  
THAT staff be given direction with respect to a litigation matter.

Carried

Mr. J. Riddell  
Ms. L.E. Payne

7. Moved by Councillor Billings  
Seconded by Councillor Laidlaw  
THAT staff be given direction with respect to a litigation matter.

Carried

Ms. L.E. Payne

8. Moved by Councillor Findlay  
Seconded by Councillor Laidlaw  
THAT staff be given direction with respect to proposed or pending acquisition or disposition of land.

Carried

Ms. L.E. Payne

9. Moved by Councillor Kovach  
Seconded by Councillor Billings  
THAT the Litigation Status Report dated November 17, 2008 be received for information.

Carried

Ms. L.E. Payne  
Mr. P. Cartwright  
Dr. J. Laird

10. Moved by Councillor Findlay  
Seconded by Councillor Kovach  
THAT staff be given direction with respect to proposed or pending acquisition or disposition of land.

Carried

REPORT

11. Moved by Councillor Kovach  
Seconded by Councillor Billings  
THAT Astrid Clos be reappointed to the Committee of Adjustment for a term ending November, 2009;

AND THAT Bill Birdsell be reappointed to the Committee of Adjustment for a term ending November, 2010;

AND THAT Armando Carer, Mike Darmon, Wayne Gates, Sharonne Mitchell and William Sleeth be appointed to the Eastview Public Liasion Committee for a term ending November, 2009;

AND THAT Evelyn Allen and Lesley McDonell be appointed to the Environmental Advisory Committee for a term ending November, 2009;

AND THAT Gordon Drewitt be reappointed to the Environmental Advisory Committee for a term ending November, 2010;

AND THAT David Kennedy and Rino Salvador be reappointed to the Guelph Non-Profit Housing Corporation Board of Directors for a term ending November, 2010;

AND THAT Joel Bartlett, Christopher Campbell, and Paul Ross be reappointed to Heritage Guelph for a term ending November, 2010;

AND THAT Douglas Smith and Wayne Tovell be appointed to the Property Standards/Fence Viewers Committee for a term ending November, 2009;

AND THAT Ray Belanger be reappointed to the Property Standards/Fence Viewers Committee for a term ending November, 2010;

AND THAT David Beaton, John Buttars, Michael Emeneau, Erin Harkins, Stan Kozak, and Hugh Whiteley be reappointed to the River Systems Advisory Committee for a term ending November, 2010.

Carried

REPORT

12. Moved by Councillor Laidlaw  
Seconded by Councillor Farrelly

THAT JoAnn Hayter be appointed to the Guelph Museums Board of Management for a term ending November, 2009;

AND THAT Jennifer Mackie be appointed to the Guelph Public Library Board for a term ending November, 2009.

AND THAT Larry Kelly, Will Lenssen and Wayne Mizen be reappointed to the Guelph Sports Hall of Fame Board of Directors for a term ending, November 2010.

AND THAT Alan Boivin and John E. Cassano be appointed to the River Run Centre Board of Directors for a term ending November, 2009;

AND THAT Dennis Deters, Gary Gander, Lloyd Longfield, Walter J. Palmer and Beverly-Ann Woods be reappointed to the River Run Centre Board of Directors for a term ending November, 2010;

AND THAT Paul Breadner be reappointed to the Locomotive 6167 Restoration Committee for a term ending November, 2010.

Mrs. L.A. Giles

AND THAT the staff be given direction with respect to citizen appointments to various Boards, Committees and Commissions.

Carried

REPORT

13. Moved by Councillor Wettstein  
Seconded by Councillor Findlay  
THAT Cathy McCormack be appointed to the Accessibility Advisory Committee for a term ending November, 2009;

AND THAT Patricia Candlish, Tanya Davies, Douglas Grove, and Jane McNamee be appointed to the Accessibility Advisory Committee for at term ending November, 2010;

AND THAT Terry Petrie be appointed to the Guelph Cemetery Commission for a term ending November 2009.

Carried

REPORT

14. Moved by Councillor Kovach  
Seconded by Councillor Findlay  
THAT Jennifer Catallo and Richard Puccini be appointed to the Guelph Twinning Committee for a one year term expiring November 2009.

Carried

The City Engineer provided an update on a litigation matter.

Ms. L.E. Payne  
Mr. J. Riddell

15. Moved by Councillor Findlay  
Seconded by Councillor Hofland  
THAT staff be given direction with respect to a litigation matter.

Carried

REPORT

16. Moved by Councillor Billings  
Seconded by Councillor Kovach  
THAT Joanne Shoveller be appointed to the Board of Commissioners for the Guelph General Hospital for a term expiring November 2011;

AND THAT Allan MacInnis be appointed to the Board of Commissioners for the Guelph General Hospital for a term expiring November 2009.

Carried

17. Moved by Councillor Kovach  
Seconded by Councillor Findlay

THAT Dr. Clare Rennie, Dr. Hugh Rose, Dan Chapman and Betsy Allan be appointed to the Board of Trustees of the Elliott Community for a three year term expiring November 2011;

AND THAT John A. Stoddard and Ernest James Stross be appointed to the Board of Trustees of the Elliott Community for a one year term expiring November 2009.

Carried

The Director of Human Resources provided an update with respect to a matter about an identifiable individual / potential litigation.

Mayor Farbridge

18. Moved by Councillor Laidlaw  
Seconded by Councillor Billings  
THAT direction be given with respect to a potential litigation matter.

Carried

Mayor Farbridge

19. Moved by Councillor Findlay  
Seconded by Councillor Laidlaw  
THAT direction be given with respect to the recruitment of the Chief Administrative Officer.

Carried

The meeting adjourned at 7:00 o'clock p.m.

.....  
Mayor

.....  
Clerk

Council Chambers  
November 24, 2008

**Council reconvened in formal session at 7:05 p.m.**

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

Absent: Councillor Burcher

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. 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**

Councillor Hofland declared a possible pecuniary interest with regards to the litigation matter at the November 3 and 17, 2008 closed Council meetings because she owns property in the vicinity of the proposed development.

Councillor Laidlaw declared a possible pecuniary interest with regards to the expansion of the Municipal Register of Cultural Heritage Properties to include non-designated Burcher-Stokes properties, as she owns a property that is on the list and did not discuss or vote on the matter.

Councillor Farrelly declared a possible pecuniary interest with regards to the expansion of the Municipal Register of Cultural Heritage Properties to include non-designated Burcher-Stokes properties, as she owns a property that is on the list and did not discuss or vote on the matter.

Councillor Bell declared a possible pecuniary interest with regards to the expansion of the Municipal Register of Cultural Heritage Properties to include non-designated Burcher-Stokes properties, as he owns a property that is on the list and did not discuss or vote on the matter.

1. Moved by Councillor Bell

Seconded by Councillor Findlay

THAT the minutes of the Council meetings held on October 27 and November 3, 2008 and the minutes of the Council meetings held in Committee of the Whole on October 27, November 3 and 13, 2008 be confirmed as recorded and without being read.

Carried



**PRESENTATIONS**

Jean Szotnicki and Dr. Alan Meek were present on behalf of the Canadian Animal Health Institute and provided information on the proposed Ontario Equine Centre. She advised that this would be a public/private partnership with the commercial equine industry and the University of Guelph and would help to move Ontario into a global leadership position for all things equine. She provided information on the economic impact to the area when the centre is fully operational. She requested that the City send a letter of support to the Minister of Energy and Infrastructure for the concept of the centre and to support this being the venue for equine events in the bid for the 2015 Pan American Games.

Mayor Farbridge

- 2. Moved by Councillor Kovach  
Seconded by Councillor Beard

THAT the Mayor send a letter to the Minister of Energy and Infrastructure advising of the City's support for the development of the Ontario Equine Centre;

AND THAT the proposed Ontario Equine Centre be the venue for equine events in the bid for the 2015 Pan American Games.

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

VOTING AGAINST: (0)

Carried

- 3. Moved by Councillor Billings  
Seconded by Councillor Wettstein

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

Carried

**REGULAR MEETING**

**DELEGATIONS**

**Expansion of the Municipal Register of Cultural Heritage Properties to include Non-Designated Burcher-Stokes Properties**

Paul Ross, Chair of Heritage Guelph was present and urged Council to adopt the expansion of the municipal register of cultural heritage properties to include non-

designated Burcher-Stokes properties. He advised that the inclusion of these properties on the register does not imply that the properties will be designated, but it give the City additional time to consider requests for the demolition of non-designated properties. He advised that Heritage Guelph will be assisting in the development of a review process.

Linda Clay expressed concern that properties were put on the list without the owners permission. She questioned the right of the City to prevent homeowners from updating or changing their properties. She advised that she wishes her property to be removed from the list and expressed concern with the process when no one knows what is involved. She encouraged Council to reject the inclusion of the Burcher-Stokes list.

Michael Hoffman expressed concern that the City did not take into effect the economic, social and cultural implications for properties included on the register. He also expressed concern that the process used to create the Burcher-Stokes list is not traceable/trackable or transparent or current and that information has not been forwarded to the affected property owners in a timely manner.

Ann Marie Savoie did not address Council.

Robin-Lee Norris expressed concern with the lack of process and the way information was circulated to the homeowners and the impact of being on the list means. She further expressed concern that the process for removing a property from the list will be established after approving the list. She requested Council to defer this matter until the review process has been finalized.

Susan Ratcliffe President of the Architectural Conservancy of Ontario, Guelph and Wellington Branch urged Council to approve the inclusion of the Burcher-Stokes list in the register. She suggested that including these properties on the register identifies possible heritage properties to all potential homeowners.

Barbara Zuccala advised that her property was damaged by fire and the house that is included on the register does not look like that today. She suggested that there is nothing heritage about the structure.

**Councillor Salisbury presented Clause 2 of the Tenth Report of the Community Development & Environmental Services Committee.**

4. Moved by Councillor Salisbury  
Seconded by Councillor Hofland

THAT Report 08-108, dated November 7, 2008 from Community Design and Development Services, regarding the expansion of the *Municipal Register of Cultural Heritage Properties* to include the "non-designated" *City of Guelph Inventory of Heritage Structures* (Burcher-Stokes Properties) be received;

AND THAT the *Municipal Register or Cultural Heritage Properties* be expanded to include the "non-designated" City of Guelph Inventory of Heritage Structures (Burcher-Stokes Properties) listed in Attachment 3.

AND THAT staff establish a review process for property owners to seek to have a property removed from the "Municipal Register of Cultural Heritage" based on inaccurate information contained in the City of Guelph Heritage Inventory and that consequently do not meet one of the criteria for designation.

AND THAT Community Design and Development Services add to their workplan that a property incentive program be examined for owners of property on the heritage inventory and that this be referred to the 2009 priority setting process.

5. Moved by Councillor Kovach  
Seconded by Councillor Billings

Mr. J. Riddell

THAT the matter of expanding the Municipal Register of Cultural Heritage Properties to include the non-designated City of Guelph inventory of heritage structures, referred to as the Burcher-Stokes properties, be deferred until February 2009;

AND THAT staff be directed to bring back the review process in conjunction with the Burcher-Stokes non-designated inventory of heritage structures;

AND THAT staff be directed to bring back a process for the removal of properties from the Burcher-Stokes inventory of non-designated properties in the City of Guelph.

VOTING IN FAVOUR Councillors Beard, Billings, Findlay, Kovach, Salisbury, Wettstein and Mayor Farbridge. (7)

VOTING AGAINST: Councillor Hofland, Piper (2)

Councillors Bell, Farrelly and Laidlaw did not vote due to their declared potential pecuniary interest.

Carried

**Air Quality Monitoring Program**

Laura Murr requested that the City fully fund this air quality monitoring initiative as soon as possible. She suggested that this data is needed in order to plan the city more proactively as the population increases. She further suggested that the data could be used to support initiatives in the Community Energy Plan and to develop policies that will help protect the citizens health through combating smog and air pollution. She requested that the City take action now to monitor our local air quality.

**Councillor Salisbury presented Clause 1 of the Tenth Report Community Development & Environmental Services Committee.**

Mr. J. Riddell

6. Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT the Community Development and Environmental Services Committee Report 08-107, dated November 7, 2008, on `Air Quality Monitoring Program' be received.

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

VOTING AGAINST: (0)

Carried

Mr. J. Riddell  
Ms. M. Neubauer

7. Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT staff be authorized to undertake the proposed Air Quality Monitoring Program as described in the Community Development and Environmental Services Committee Report 08-107, dated November 7, 2008, on `Air Quality Monitoring Program', subject to budget approval.

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

VOTING AGAINST: (0)

Carried

8. Moved by Councillor Billings  
Seconded by Councillor Wettstein  
THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

**Councillor Salisbury presented the balance of the Tenth Report of the Community Development & Environmental Services Committee.**

**Award of Contract for a New Dust Collection System at the Materials Recovery Facility (MRF)**

Dr. J. Laird  
Ms. M. Neubauer

9. Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT the contract of Trade Mark Industrial Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No. 08-035 for a new dust collection system at the Materials Recovery Facility (MRF), for a total tendered price of \$471,508 (plus GST) with actual payment to be made in accordance with the terms of the contract.

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

VOTING AGAINST: (0)

Carried

**New Municipal Hazardous Special Waste Program and Agreement with Stewardship Ontario**

Dr. J. Laird  
Ms. M. Neubauer

10. Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT Council authorize the Mayor and Clerk to sign an Agreement with Stewardship Ontario to receive funding through the Municipal Hazardous or Special Waste (MHSW) Program Plan established by Stewardship Ontario under the Waste Diversion Act, 2002, and any subsequent related agreements.

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

VOTING AGAINST: (0)

Carried

**Lake Erie Source Protection Committee – Terms of Reference**

Dr. J. Laird

11. Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT Council direct Waterworks staff to continue to coordinate drinking water source protection projects with

respect to the City's water supply systems, subject to the provision of sufficient and sustainable funding from the MOE to the City to complete all the work outlined in the Terms of Reference;

AND THAT Council not "elevate" (i.e. include) other drinking water systems into the scope of source protection planning, at this time;

AND THAT Council not exempt municipal residential drinking water systems, wells, or intakes within Guelph;

AND THAT Council requests that the following wells be included in the drinking water source protection plan: Arkell 14, Arkell 15, Scout Camp, Edinburgh, Smallfield, and Sacco.

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

VOTING AGAINST: (0)

Carried

**Councillor Laidlaw presented the Ninth Report of the Emergency Services, Community Services & Operations Committee**

**Guelph Fire Department Establishing & Regulating By-law, and Mutual and Automatic Aid By-law**

12. Moved by Councillor Laidlaw  
Seconded by Councillor Beard

Mr. S. Armstrong

THAT a By-law to continue and regulate the Guelph Fire Department, to be known as the Guelph Fire Department Establishing & Regulating By-law be approved.

AND THAT a By-law authorizing the Guelph Fire Department to leave the boundaries of the City of Guelph to provide services in various circumstances, including to continue in the participation in the Mutual and Automatic Aid Program for the County of Wellington, and to provide services under the Fire Protection Agreement between The Corporation of the City of Guelph and The Corporation of the Township of Guelph/Eramosa, be approved.

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

VOTING AGAINST: (0)

Councillor Salisbury was not in the Chambers during the vote.

Carried

### **Power of Entry By-law**

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

13. Moved by Councillor Laidlaw  
Seconded by Councillor Beard  
THAT the Power of Entry By-law attached as Appendix A to the Director of Operations report of November 12, 2008 be approved.

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

VOTING AGAINST: (0)

Councillor Salisbury was not in the Chambers during the vote.

Carried

### **Notification and Recommendation of a Special Event at Goldie Mill**

Ms. A. Pappert  
Mrs. L.A. Giles

14. Moved by Councillor Laidlaw  
Seconded by Councillor Beard  
THAT an application for a special event permit to serve alcohol at a wedding to be held on Saturday, July 18<sup>th</sup>, 2009 at Goldie Mill Park be approved;

AND THAT the applicant be given permission to erect a temporary fence that would block the lower pedestrian path along the top of the bank at the river and erect a tent within the fenced area to host their wedding dinner. The tent will measure approximately 30 ft by 70 ft and will require issuance of a building permit.

AND THAT matters regarding special events be referred to staff for consideration under the "delegation of authority" review.

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

VOTING AGAINST: (0)

Councillor Salisbury was not in the Chambers during the vote.

Carried

**Ken Danby Public School Traffic Concerns – Update**

Mr. D. McCaughan  
Ms. N. Neubauer

15. Moved by Councillor Laidlaw  
Seconded by Councillor Beard  
THAT traffic signals be provided at the intersection of Starwood Drive and Grange Road subject to Ken Danby school providing student patrols and subject to budget approval for 2009.

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

VOTING AGAINST: (0)

Carried

**Guelph Farmers' Market Operating Review**

Mr. D. McCaughan

16. Moved by Councillor Laidlaw  
Seconded by Councillor Beard  
THAT the Emergency Services, Community Services and Operations Committee report of November 12, 2008, entitled `Guelph Farmers' Market Operating Review' be received;

AND THAT staff be directed to draft a new by-law for the consideration of Council, to regulate the Guelph Farmers' Market based on the recommendations contained in Schedule 1 attached;

AND THAT staff be directed to incorporate revisions as contained in Schedule 2 attached, to the operating policies/procedures.

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

VOTING AGAINST: (0)

Carried

**Councillor Wettstein presented the Eighth Report of the Finance, Administration & Corporate Services Committee.**



**Residential Lease Agreements – 297 Woodlawn Road West**

Ms. L.E. Payne 17. Moved by Councillor Wettstein  
Seconded by Councillor Bell  
THAT the Mayor and Clerk be authorized to execute a lease agreement and any further renewals or subsequent lease agreements between the Ministry of Transportation and the City for the property at 297 Woodlawn Road West;

AND THAT the Mayor and Clerk be authorized to execute a lease agreement and any further renewals or subsequent lease agreements between the City and Matrix Affordable Homes for the Disadvantaged Inc. for the property at 297 Woodlawn Road West.

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

VOTING AGAINST: (0)

Carried

**Guelph/Wellington Seniors Association – Lease of the Evergreen Seniors Centre**

Ms. L.E. Payne 18. Moved by Councillor Wettstein  
Seconded by Councillor Bell  
THAT the Mayor and Clerk be authorized to execute a five-year lease agreement commencing January 1, 2009 between the City and the Guelph/Wellington Seniors Association in respect of the Evergreen Seniors Centre at 683 Woolwich Street.

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

VOTING AGAINST: (0)

Carried

**Possible Solar Energy Proposals on City Lands**

Ms. L.E. Payne 19. Moved by Councillor Wettstein  
Mr. J. Riddell Seconded by Councillor Bell  
Dr. J. Laird THAT staff be directed to develop and issue a Request for information and a subsequent Request for Proposals from companies interested in establishing a solar photovoltaic project on City lands as outlined in the report of the

Manager of Realty Services dated November 5, 2008 and report back with the results and recommendations through Committee for Council's consideration.

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

VOTING AGAINST: (0)

Carried

**PSAB: Tangible Capital Asset Policy**

Ms. M. Neubauer

20. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the PSAB 3150 Tangible Capital Asset Policy proposed (TCA Policy) for the Corporation of the City of Guelph dated January 1, 2009 and attached as Schedule 3, be approved.

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

VOTING AGAINST: (0)

Carried

**City of Kingston – "Heads and Beds" Levy**

Mayor H. Rosen  
Hon. D. Duncan  
Hon. J. Watson  
AMO  
Town & Gown Ontario

21. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the City of Guelph endorse the resolution of the City of Kingston:

THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to: Increase the "heads and beds" payment immediately to at least match the rate of inflation since 1987 and build in an automatic annual adjustment for inflation from now on, and meet with officials from Kingston and other municipalities affected by this law to discuss a fairer way that is closer to the fair market value of the properties, to compensate for the loss of property taxes because of property tax exemption rules for post-secondary institutions and hospitals under provincial law.

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

VOTING AGAINST: (0)

Carried

**Councillor Wettstein presented the Second Report of the Finance, Administration & Corporate Services Committee meeting as the Audit Committee.**

**2008 Audit Plan**

Ms. M. Neubauer

22. Moved by Councillor Wettstein  
Seconded by Councilor Bell

THAT Deloitte & Touche be appointed auditors for the City of Guelph for the fiscal year of 2008;

AND THAT the 2008 Audit Plan prepared by Deloitte & Touche be approved as submitted.

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

VOTING AGAINST: (0)

Carried

**Audit Committee Terms of Reference**

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

23. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the Procedural By-law be amended to establish the Audit Committee as a Standing Committee, distinct from the Finance, Administration and Corporate Services Committee;

AND THAT the Audit Committee Terms of Reference attached as Schedule 4 be adopted.

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

VOTING AGAINST: (0)

Carried

**Councillor Piper presented the Seventh Report of the Governance & Economic Development Committee.**

### **Human Resources / People Practices Strategy**

Mr. M. Amorosi

24. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the Human Resource Strategy for the City of Guelph, attached as Schedule 5, be approved;

AND THAT Council endorse the re-naming of the Strategy to the People Practices Strategy;

AND THAT staff report back annually on the status and progress made in implementing the Strategy.

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

VOTING AGAINST: (0)

Carried

### **Flag Raising Policy**

Mrs. L.A. Giles  
Ms. L.E. Payne

25. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the policy regarding raising, displaying and half masting of outdoor flags on City of Guelph properties attached as Schedule 6 be adopted.

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

VOTING AGAINST: (0)

Carried

### **Sidewalk Winter Control Service Review Report**

Beth Brombal, Coordinator, Service Performance & Development provided an overview of phase 1 of the sidewalk winter control service review. She outlined the current service delivery and the advantages and disadvantages. She also reviewed an alternative service model where the residents are responsible for clearing the snow from sidewalks.

Mr. D. McCaughan  
Ms. M. Neubauer

26. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report of November 18, 2008 be received;

AND THAT Sidewalk Winter Control continues to be a service provided to the citizens of Guelph;

AND THAT staff commence with Phase 2 of the Sidewalk Winter Control review process to identify expected service delivery outcomes and community defined service levels through public consultation;

AND THAT staff be directed to implement operational improvements for the 2008/2009 winter season as identified in the Governance and Economic Development Committee report Sidewalk Winter Control Service Review Report;

AND THAT the purchase of a snow plow as approved in the 2008 Capital Budget and identified as project #RD0149 which is funded by development charges, be approved.

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

VOTING AGAINST: Councillor Piper (1)

Carried

27. Moved by Councillor Piper  
Seconded by Councillor Wettstein

Mrs. L.A. Giles  
Mr. D. McCaughan

THAT staff be directed to develop a communications program to be included on the City's page in the Guelph Tribune asking residents to voluntary shovel their sidewalks.

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

VOTING AGAINST: (0)

Carried

**Review of Guelph City Council Governance Framework**

28. Moved by Councillor Piper  
Seconded by Councillor Wettstein

Mrs. L.A. Giles

THAT the following structure for standing committees as outlined in the report of the Director of Information Services dated November 18, 2008, be adopted for the balance of the 2006-10 term of Council:

| <b>Governance Working Committees</b>   | <b>Operational Standing Committees</b>   |
|--|--|
| Governance Committee (Mayor + Chairs of the following Committees: - Audit, Community Development & Environmental Services, Community Services, Emergency Services & Operations, Finance, Administration & Corporate Services)<br>Mayor to Chair this Committee | Community Development & Environmental Services Committee (Mayor + 4 Councillors)   |
| Audit Committee (4 Councillors + Mayor)  | Emergency Services, Community Services & Operations Committee (Mayor + 4 Councillors)  |
| Emergency Governance Committee   | Finance, Administration & Corporate Services Committee (Mayor + 4 Councillors) (which includes Economic Development & Tourism) |
|  | Land Ambulance Committee / Joint Social Services Committee (3 City ECO Members, 3 County Councillors Mayor & Warden)           |

VOTING IN FAVOUR: Councillors Beard, Bell, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge. (10)

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

29. Moved by Councillor Piper

Seconded by Councillor Wettstein

Mrs. L.A. Giles

THAT staff be mandated through the Governance Committee to review and recommend improvements to the Governance Framework and associated elements during each term of Council.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

Mrs. L.A. Giles

30. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the roles of the Land Ambulance Committee and the Joint Social Services Committee as standing committees in Council's new governance structure be reviewed by the City and the County of Wellington.

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

VOTING AGAINST: (0)

Carried

Councillor Wettstein  
Mrs. L.A. Giles

31. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the establishment of an appeals committee to be delegated the authority of Council with respect to the revoking, suspending or cancelling of a business licence be referred to the Finance, Administration & Corporate Services Committee.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

32. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT a consistent template be established for developing terms of reference for Council-established Advisory Committees, and that the Terms of Reference be clearly defined and written in advance of any appointments to Committee, including affiliation with the appropriate standing committee.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

33. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the terms of appointments to Advisory Committees be concurrent with the term of Council, and reviewed prior to the conclusion of each Council term.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

34. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the mandates and terms of Advisory Committees be reviewed prior to the end of each term of Council.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

35. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT commencing with the 2010-14 term of Council, members of Council no longer be appointed to advisory committees.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles  
Senior Mngt. Team

36. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT at the beginning of each Council term, significant time should be spent by Council in clarifying the roles and relationships between Council, the CAO and Administration.

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



VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles  
Senior Mngt.

37. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT at the beginning of each Council term, significant time should be spent by Council in reviewing the Council/staff protocol.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles  
Ms. B. Boisvert  
Senior Mngt.

38. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT all new projects/initiatives, or inquiries of significance where the effort required to respond will result in the need to reallocate one or more resources that are currently committed to either an operational function or a formally identified strategic priority, be formally acknowledged by Council and referred to the annual strategic priority planning sessions in early spring.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

39. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT the use of consent agendas be adopted for use by the Standing Committees.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles 40. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT staff presentations at regular Council meetings, be scheduled at the beginning of the agenda, and that staff presentations at planning and special meetings continue to be scheduled to suit the content of the agenda.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles 41. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT Council consider scheduling Mondays for all council and standing committee meetings.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles 42. Moved by Councillor Piper  
Seconded by Councillor Wettstein  
THAT if a meeting is going to extend beyond 11:00 p.m., then only one motion to extend is required and the maximum allowable extension is to 11:59 p.m.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

### **Report to Council from Committee of the Whole**

#### **109 Emma Street – Upcoming Ontario Municipal Board Hearing**

Mr. J. Riddell 43. Moved by Councillor Kovach  
Ms. L.E. Payne Seconded by Councillor Laidlaw  
THAT City Council authorize appropriate City Staff to attend an upcoming Ontario Municipal Board hearing in

Mrs. K. Fairfull

support of the minor variances in application A-66/08 to accommodate two additional residential units in the existing multi-unit residential building at 109 Emma Street;

AND THAT City Council authorize appropriate City Staff to attend any Ontario Municipal Board initiated mediation discussions on the matter of Committee of Adjustment application A-66/08 at 109 Emma Street.

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

VOTING AGAINST: (0)

Carried

### **580 Paisley Road – Appeal to the Ontario Municipal Board Hearing**

Mr. J. Riddell  
Ms. L.E. Payne

44. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

THAT City Council authorizes appropriate City staff to attend the upcoming Ontario Municipal Board hearing to support the decision to not approve the site plan application (SP07C020) for the development of a gas bar, car wash and kiosk at 580 Paisley Road.

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

VOTING AGAINST: (0)

Councillor Hofland was not present in the Chambers during the vote.

Carried

### **Indemnity Agreements**

Mr. J. Riddell  
Ms. L.E. Payne

45. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT subject to the satisfaction of the City Solicitor, the Mayor and Clerk be authorized to sign indemnity agreements dealing with issues surrounding contamination or potential contamination arising from contaminated sites.

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

VOTING AGAINST: (0)

Carried

**Extension of Lease Agreement – 2 Wyndham Street North, 60 and 62 Carden Street, 55 Macdonell Street**

Ms. L.E. Payne

46. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the Mayor and Clerk be authorized to execute an Amending Agreement to the lease for space at 2 Wyndham Street North, 60 and 62 Carden Street, and 55 Macdonell Street to extend the term for the space on the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floors to March 31, 2009.

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

VOTING AGAINST: (0)

Carried

**CONSENT AGENDA**

The following item #A-1 was extracted from the Consent Agenda to be voted on separately.

47. Moved by Councillor Laidlaw  
Seconded by Councillor Farrelly

THAT the balance of the November 24, 2008 Consent Agenda as identified below, be adopted:

a) **Christmas Day Bus Service – Reduction of Service**

Ms. A. Pappert  
Ms. M. Neubauer

THAT report CS-TR0824 "Christmas Day Bus Service – Reduction of Service", of the Director of Community Services be received;

AND THAT as a cost savings measure, Guelph Transit will not provide bus service on Christmas Day.

**B Items for Direction of Council**

1) **Request to use "Guelph" in name of Guelph Giants Special Needs Hockey Foundation**

Mr. A. Gordon

THAT the request from Miller Thomson on behalf of the Derek Brodie and the Guelph Giants Special Needs Foundation, for permission to use the name "Guelph" in the name of the "Guelph Special Needs Hockey Foundation", be approved.

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

VOTING AGAINST: (0)

Carried

**Guelph Hydro Inc.**

48. Moved by Councillor Piper  
Seconded by Councillor Salisbury

Mr. H. Loewig  
Mayor Farbridge  
Councillor Bell  
Councillor Findlay  
Councillor Piper  
Councillor Salisbury

THAT a steering committee representing the Mayor and four members of City Council (as shareholder) and the Guelph Hydro Inc. Board be established to explore the future direction and opportunities of the Guelph Hydro business enterprise.

VOTING IN FAVOUR: Councillors Beard, Bell, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge. (10)

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

49. Moved by Councillor Findlay  
Seconded by Councillor Laidlaw

Mr. H. Loewig  
Mayor Farbridge  
Councillor Bell  
Councillor Findlay  
Councillor Piper  
Councillor Salisbury

THAT Councillors Bell, Findlay, Piper, Salisbury and Mayor Farbridge be appointed to the steering committee to explore the future direction and opportunities of the Guelph Hydro business enterprise.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

50. Moved by Councillor Farrelly  
Seconded by Councillor Wettstein  
THAT the Committee rise with leave to sit again.

Carried

51. Moved by Councillor Findlay  
Seconded by Councillor Bell  
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

### **SPECIAL RESOLUTIONS**

#### **Councillor Salisbury's motion for which notice was given October 27, 2008 with respect to graffiti**

Mr. J. Riddell  
Ms. L.E. Payne  
Ms. B. Boisvert

52. Moved by Councillor Salisbury  
Seconded by Councillor Piper  
WHEREAS the Municipal Act, SO 2001, c.25, Section 128, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS it is the opinion of the Council of the City of Guelph that graffiti is a public nuisance;

AND WHEREAS the practise of placing graffiti on publicly and privately owned buildings and structures is becoming more commonplace and is at times offensive in nature;

AND WHEREAS the City of Guelph does not presently have a by-law that regulates graffiti on privately owned property;

BE IT RESOLVED THAT this issue be referred to the Council Priority Setting sessions in the spring of 2009.

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

VOTING AGAINST: (0)

Carried

**BY-LAWS**

53. Moved by Councillor Hofland  
Seconded by Councillor Salisbury  
THAT By-laws Numbered (2008)-18663 to (2008)-18683,  
inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

**QUESTIONS**

In response to questions by Councillor Kovach, the Mayor  
advised that the City was not asked to participate in a  
recent meeting where 22 Mayors of municipalities across  
Ontario who are large employers of the auto sector met  
with provincial representatives.

**MAYOR'S ANNOUNCEMENTS**

The Mayor recognized Shawn Armstrong who was the co-  
chair of the City of Guelph's United Way Campaign. She  
advised that city employees raised \$4,000 more this year  
than last year.

**ADJOURNMENT**

The meeting adjourned at 10:45 o'clock p.m.

Minutes read and confirmed December 22, 2008.

.....  
Mayor

.....  
Clerk

## GUELPH FARMERS' MARKET OPERATING REVIEW By-law Recommendations

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THE FOLLOWING ARE PROPOSED RECOMMENDATIONS TO BE INCORPORATED WITHIN THE NEW BY-LAW,  
GOVERNING THE OPERATIONS OF THE GUELPH FARMERS' MARKET.

### 1. DEFINITION OF VENDOR CATEGORIES

**Farmer** – producers of farm products (fruit, vegetables, meat, poultry, dairy, fish, grains & seeds, honey, maple products and plants/flowers), who are selling or offering for sale their own products. A minimum of 65% of the products sold must be home grown.

**Food Reseller** – non producers of consumable food products who sell or offer for sale products purchased from a third party.

**Prepared Foods** – Food products prepared by the Vendor for consumption for sale at the Market.

**Arts & Crafts** - Handmade goods produced or created by the Vendor from raw or basic materials which are changed into a significantly different shape, design, form or function using a special skill or manual art. Articles cannot be commercially fabricated or produced in any way.

**Other** - Community based services & public based interest "non-profit". Fundraiser groups such as cadets, boy scouts are not required to rent a table.

### 2. RENTAL SPACE ASSIGNMENT PROCESS

Methodology used to determine assignment of table vacancies:

- i. Percentage vacancy noted in composition of Market
- ii. Uniqueness & best interest of the Market
- iii. Term commitment

Methodology used to determine assignment of booth vacancies:

- i. Health Regulations relating to facilities required for operation
- ii. Uniqueness & best interest of the Market
- iii. Term commitment

### 3. ROLES & RESPONSIBILITIES

#### **Market Clerk**

The Market Clerk shall administer and supervise the operation of the market and the enforcement of the By-law, including the following duties:

- Collect rental fees
- Assign rental spaces to vendors. Location and products approved for vending to be listed on rental agreement.
- Execute on behalf of the Corporation the rental contracts for the use of market space
- No selling product either directly or indirectly through a vendor or entering into a trade for rental fees or other services; No direct or indirect interest in the sale or profits of any products sold at the Market
- Market Clerk may not shop at Market while on duty or in uniform



### **Market Vendor**

- The cleanliness of his/her rental space is maintained so that no rubbish, garbage or waste material is deposited on or about the assigned area. This includes providing refuse containers and emptying them at end of Market day.
- Booth vendors are responsible for sweeping & mopping the floor space within their booths
- Compliance with the terms and conditions set forth in the by-law and policies & procedures
- Responsible to obtain all necessary licenses, permits, inspections and certificates for the sale of their products
- Responsible for all expenses associated to any improvements to their vending/rental area

### **4. VENDOR ACCESS TO MARKET BUILDING**

- Vendor access for set up and take down:
  - 8 am – 4 pm, Thursdays & Fridays via Market Clerk
  - 4 pm Fridays – 2 pm Saturdays via keypad entry
- Saturday Market opened and closed by Market Clerk; no vending outside of Market hours (7 am – 12 noon); vendors to have vacated property by 2:00 pm on Saturdays

### **5. MARKET DAYS & HOURS**

- Additional market days and occasional extended hours per calendar year to be available, with the conditions that there be 1-months notice and a commitment of 75% of vendor participation. Executive and Clerks to pre-determine additional dates.

### **6. RULES REGARDING EQUIPMENT**

- All equipment to be CSA (Canadian Standard Association), and/or CLU (CSA equivalent) and City approved **prior** to installation and use
- All wiring and plumbing to vendor rental space to be pre-approved and arranged by Corporation, at the expense of the Vendor
- Equipment to be ESA compliant (Electrical Safety Authority)

### **7. PAYMENT TERMS**

- Payment to be received in **advance** at time of reservation
- Rental fee cheques returned non-sufficient funds - subsequent payments to be paid by certified cheque, money order or cash only

### **8. NOTICE OF NON-OCCUPANCY OF RENTAL SPACE**

- Vendor to provide 48 -hour notice of absence; City will rent out space if possible and refund Vendor. If unable to rent out space, Vendor is responsible for rental fee.
- Seven (7) days notification to be provided in written format to the Market Clerk for leaves of absence such as vacation. In the event where the leave is greater than 2 weeks in length, the rental space may be temporarily rented out to another vendor. Vendor is reimbursed unused portion if Clerk was able to rent out space.
- In the event that a Vendor allows their rental space to be vacant for more than 1 market day **without** providing sufficient notice to the Clerk, their contract may be cancelled and their rental spot reassigned. Vendor responsible for rental fee if Clerk is unable to rent out spot.

- Contracts may be cancelled at any time for breach of any of the provisions in the By-law and/or policies & procedures. The Vendor shall be entitled to a refund for the unexpired portion of the contract term
- A Vendor who wishes to cancel their rental contract must provide 7-days written notification of their intentions to vacate the Market. Upon receiving the notification, the Vendor may request a refund for the unexpired fee portion. A refund shall be conditional upon the Market Clerk receiving reasonable and adequate notice.

**9. MODIFICATIONS/ALTERATIONS TO MARKET PROPERTY**

- No alterations or changes to building, parking lot and City property without prior written authorization from the City. Vendor able to decorate table by temporarily affixing objects to tables utilizing non-damaging holding devices such as clamps.

**10. SELLING OF PRODUCTS NOT PRE-APPROVED**

- Vendor contract/agreement to list approved items for sale
- Vendor to submit an application/amendment to vend any new items not listed on the contract
- City reserves the right to approve product lines as seen fit and reserves the right NOT to approve items that a Vendor was previously approved for from a previous year or any new items

**11. COMPOSITION OF MARKET EXECUTIVE**

**a) Terms of Reference**

- Quorum is 4
- If votes are tied, the issue becomes a non-vote – City staff cannot vote.
- Committee meetings 4 times per year (every 3 months). Meetings to be cancelled if insufficient agenda items
- Market Clerk or Executive member can facilitate the meeting
- Market Clerk to draft agenda and transcribe meeting minutes. Minutes to be signed by a Vendor Executive and Market Clerk. Copies to be forwarded to the Supervisor of Administration and Director of Operations. Approved minutes to be posted.
- Appeal process:
  - Vendor approaches Executive
  - Executive table at next quarterly meeting
  - Issue reviewed and discussed
- Executive responsible for ensuring that the information resulting from an appeal is conveyed to the Vendor.

**b) Eligibility of Executive**

- Composition to include representative from the following vendor groups: 2 Farmers, 1 Food Reseller, 1 Prepared Food, 1 Arts & Crafts and 1 Other
- Two year term
- In the event of a resignation, the position should default to the second runner up if they are still interested. If no runner up, a new vote will take place.
- Vendor must have been present at Market for at least 12 collective months in the last two years
- Executive members must attend 75% of meetings held in order to maintain status as a Vendor Executive. Meeting dates to be pre-determined to allow for scheduling.

**c) Voting Process**

- Nominations must be in written format
- Nominations to be supported by 2 vendors and accepted by nominee
- Market Clerk to publish biographies and photos of all nominees, 2 weeks prior to vote
- Voting to take place first week in April
- To be eligible to vote, vendors need to have been at the Market for at least 6 collective months within the past two years
- 1 ballot per vendor contract to be distributed 2 weeks prior to vote
- Counting of votes to be carried out by Market Clerks & a member of the former Vendor Executive, who is not a nominee in the current election
- Count to be signed off by Vendor Executive and Market Clerks
- Successful candidate to be determined by majority of votes
- In the event of a tie, a coin toss will be used to determine the winner.

**12. INSURANCE (for Vendor Product)**

- Vendors required to maintain \$2,000,000 insurance for product liability, and to supply a certificate as proof of insurance prior to the signing of the contract naming the Corporation of the City of Guelph to be an additional named insured.

**13. TRANSFER OF CONTRACTS**

- The balance of the term of a vending contract can only be transferred to someone vending with the same business name and same product. If vending food products, must have Health Unit approval.

**14. VENDOR CONDUCT**

- Smoking not permitted in Market building and in Market parking lot during market hours
- Alcohol and drug use is not permitted on the Market grounds
- Each Vendor shall remain on his/her own market space when selling his/her products. Sales shall be conducted in an orderly business manner. No shouting or other objectionable means, such as hawking through amplified means, for soliciting trade shall be tolerated
- Vendors who bring their young children to the Market, are to ensure that they are supervised at all times and not disrupting customers or other vendors
- Vendors will not be confrontational with other vendors, customers, staff or others. If a Vendor has a problem with any issue it is to be dealt with in a calm and professional manner. Issues between Vendors are to be dealt with outside of Market hours.

**15. LABELLING OF FOOD PRODUCTS**

- All pre-packaged food products must comply with the Nutrition Labelling requirements stipulated by Canadian Food Inspection Agency.
- All pre-packaged food products, not sold by the individual who prepared and processed the product, must comply with the Nutrition Facts Table requirements as stipulated by Canadian Food Inspection Agency.

**16. NON COMPLIANCE & CONSEQUENCES**

- Non compliance to regulations and/or policies & procedures will be ensued with a warning for first offense followed by termination of vending contract for second offense.

## GUELPH FARMERS' MARKET OPERATING REVIEW Operating Policies & Procedures Revisions

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THE FOLLOWING ARE PROPOSED REVISIONS TO BE INCORPORATED WITHIN THE GUELPH FARMERS' MARKETING OPERATING POLICIES & PROCEDURES.

### 1. ARTS & CRAFT JURY

An Arts & Crafts Jury will review new vendor applications and submissions/ requests for vending of additional products (by existing vendors), and conduct assessments on product quality (new & existing vendor products).

The Jury will be comprised of 5 representatives: 1 - Arts & Crafts Vendor Executive, 1 - Arts Council member, 1 - Arts & Crafts Vendor, 1 - member of the Public and a second member of the Vendor Executive Committee.

Monthly evaluation meetings will be held. Market Clerk to make temporary assessments on new applications and grant temporary placement if available and until such time that a decision has been rendered by the Jury.

### 2. DEFINITION OF ARTS & CRAFT CATEGORY

When capacity exists, exceptions to the definition may be considered for specialty products that are manufactured or organic/green.

### 3. IDEAL COMPOSITION OF MARKET VENDORS – PERCENTAGE ALLOCATION OF RENTAL SPACE

The following percentages are base or desired percentages. When there is capacity, the spaces will be opened up to other categories on a short-term basis.

December 1 to April 30, inclusive:

- 25% Farmers
- 25% Resellers
- 25% Prepared Foods
- 20% Art
- 5% Other

May 1 to November 30, inclusive:

- 30% Farmers (plus 100% of external vending space)
- 25% Resellers
- 20% Prepared Foods
- 20% Art
- 5% Other

### 2. VARIETY & LIMITATIONS OF PRODUCTS

Limitations for selling same product as follows:

- Farmers – 3
- Food Resellers – 3
- Prepared Food – 2
- Arts & Crafts – 2
- Other – 1

Additional applications for vending of same products, where the limit has been reached, are to be reviewed by the Vendor Executive. Temporary rental agreements may be granted at the Market Clerk's discretion.

### 3. RENTAL AGREEMENTS

#### a. Length of Contract

- Annual, seasonal (6 months), monthly, weekly temporary
- Payment in advance. Annual & seasonal reservations - first/last month's rental fee paid at time of reservation, followed by monthly rental fees.
- First paid first serve basis; preference given to applicants wanting longer term commitment

#### b. Rental Space

- Table space – 4 ft minimum for all categories; maximum limits to be set as follows:

|                  |           |
|------------------|-----------|
| Farmers –        | 20 ft max |
| Food Resellers – | 12 ft max |
| Prepared Food –  | 12 ft max |
| Arts & Crafts –  | 12 ft max |
| Other –          | 6 ft max  |

- Booths – a vendor cannot sell the same product from two or more different booths; multiple/various products can be sold from one booth.
- Outside stalls – no more than 3 spaces per Vendor

When capacity exists, maximum limits maybe exceeded on a temporary basis and at the Market Clerk's discretion.

#### c. Booth/Table Standards

- Merchandize may not be hung from ceiling or on the wall
- Signs cannot be permanently affixed to the building, walls or tables. Signs affixed to building wall to be fastened by the City
- Coolers and refrigerator units not permitted in the centre section of the Market
- Height of table shelves no more than 3ft from table surface for new Vendors. Former Vendors grandfathered at 4 ft from table surface.

### 4. UTILIZATION OF PARKING LOT

- During spring/summer season (Apr 1 – Nov 30), no parking allowed within parking lot unless vending from vehicle. Those vending from vehicles, must be set up by 6:45 am and cannot move vehicles until 30 minutes following the end of market day (12:30 pm)
- During winter season (Dec 1 – March 31) a specific number of spaces will be reserved for vending within the parking lot; remainder of parking lot to be utilized for customer parking.

### 5. EXTENDING TABLES, ENCROACHMENT

- Vendors are to use amount of space allocated to them - no encroaching or extensions permitted. Extensions include the space/area behind City tables and Vendors bringing their own tables for use at the Market.

### 6. LEAVING PRODUCT BEHIND

- No product to be left on the floor
- All food products to be removed at the end of each market day, unless stored within a refrigerator unit

- City is not responsible for lost, stolen or damaged product, including refrigerated products
- All Items to be removed at the end of the term

**7. CLEANLINESS OF MARKET**

- Quality assurance to be carried out by Market Clerk each week

**8. BUSKERS**

- Outside & Inside as space permits
- Selection and approval of buskers to be a collaborated effort between Executive members and Market Clerks

**9. EDUCATIONAL DEMONSTRATORS**

- Demonstrators to be charged a fee if selling a product
- (1) one demonstrator per market day; permitted when space is available
- Demonstrators to submit an application and receive approval by Vendor Executive and Market Clerk
- Must be consistent with regulations



# CORPORATE POLICY



|                 |  |
|-----------------|--|
| POLICY          | <b>PSAB 3150 Tangible Capital Policy</b> |
| CATEGORY        | FINANCE                                  |
| AUTHORITY       | COUNCIL                                  |
| RELATED POLICES |  |
| APPROVED BY     | COUNCIL                                  |
| EFFECTIVE DATE  | January 1, 2009                          |
| REVISION DATE   |  |

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## PURPOSE

The objectives of the TCA Policy are:

- to prescribe and establish accounting policies for tangible capital assets (TCA's) in accordance with PS 3150 and CICA Sections 3060 and 3065 and their respective representation on the financial statements of the City.
- Establish policies for the effective transition to full accrual accounting required by January 1, 2009.
- Establish accountabilities and responsibilities for the Finance Department, Directors and staff that purchase, contract and construct TCA's and have asset management responsibilities.
- Establish and delegate authority of City departments as it relates to the TCA accounting and asset management.

## APPLICATION AND SCOPE

- This policy applies to all departments and organizations that the City is responsible to include in its financial statements.
- This policy applies to existing assets as of January 1, 2009 and all new tangible capital assets purchased, acquired or constructed. Intangible assets are not covered by this policy.
- This policy replaces all existing policies with respect to tangible capital assets and/or accountabilities for such assets.
- This policy should be read in conjunction with PSAB Handbook Section PS 3150 and CICA Sections 3060 and 3065.



## **SECTION# A**

### **POLICY #1: PSAB 3150 Tangible Capital Policy – Recording Tangible Capital Assets**

#### **POLICY STATEMENT**

The City of Guelph for the purpose of capitalization and amortization will employ two methods of defining TCA's; the whole asset and component approach. Both the whole asset method and the component approach are equally acceptable under GAAP.

#### **PURPOSE**

In certain circumstances, it is appropriate to allocate the total disbursement on an asset to its component parts and account for each component separately. This is the case when the component assets have different useful lives or provide economic benefits or service potential to the entity in a different pattern, thus necessitating use of different amortization rates and methods. For example, the pavements and base may need to be treated as separate items within a road system to the extent that they have different useful lives.

#### **DEFINITIONS**

The whole asset approach considers an asset to be an assembly of connected parts. Costs of all parts would be capitalized and amortized as a single asset by year of acquisition. For example a building may be considered as a single asset.

Under the component approach, major components are individually capitalized and amortized. Each component with a unique historical cost, useful life or amortization is recorded separately. For example, the major components of a building (exterior shell, windows, roof, HVAC, etc.) may be capitalized.

#### **GUIDELINES**

Additional factors influencing the choice of method include:

- i. Significance of amounts;
- ii. Quantity of individual asset components (volume);
- iii. Availability of information with respect to specific components of the capital expenditures; and
- iv. Specific information needs of management for decision making and asset control purposes.

## **SECTION# B**

### **POLICY #2: PSAB 3150 Tangible Capital Policy – Segmentation**

#### **POLICY STATEMENT**

Roads, watermains and sewer lines (linear assets) will be broken down into logical segments as determined by the operating department responsible for the TCA.

#### **PURPOSE**

Assets may also be viewed according to logical “segments.” This conceptual view is typically applied to linear networks. Segmentation is to provide a better basis for asset management so that Department can better manage their linear assets.

#### **DEFINITIONS**

Segmentation is a division of the asset into geographical sections. For example, a road network may be divided into segments that correspond with each road section between a municipality’s intersections.

## **SECTION# C**

### **POLICY #3: PSAB 3150 Tangible Capital Policy – Pooled Assets**

#### **POLICY STATEMENT**

Due to the large financial impact and large numbers purchased, the City will create a pool of TCA’s and capitalize these TCA’s

#### **PURPOSE**

Certain items such as tools, furniture and computers are generally below the capitalization threshold individually, but are typically purchased or held in large quantities so as to represent significant expenditures overall. In such cases, it would seem reasonable to capitalize all items acquired in a given asset pool and amortize the pool over a pre-determined amortization period.

#### **DEFINITIONS**

Asset Pool involve homogeneous items that meet the definition of TCA (but may not individually exceed the municipally determined capitalization threshold) and that, due to their similarity and their sheer quantity, may best be accumulated as aggregated (or grouped) assets.

**SECTION# D**

**POLICY #4: PSAB 3150 Tangible Capital Policy – Capitalization Thresholds**

**POLICY STATEMENT**

Expenditures that meet both the criteria of a TCA and exceed the following capitalization thresholds are to be recorded as a TCA.

| <b>Tangible Capital Asset</b> | <b>Threshold</b> |
|-------------------------------|------------------|
| Land                          | Capitalize all   |
| Land Improvements             | \$25,000         |
| Buildings                     | \$100,000        |
| Leasehold Improvements        | \$100,000        |
| Vehicles                      | \$10,000         |
| Machinery and Equipment       | \$10,000         |
| Infrastructure                | \$100,000        |

Thresholds should be applied on an individual asset basis, unless multiple expenditures are for tangible capital assets valued below the capitalization threshold and, therefore, expensed rather than capitalized, results in a material misstatement of the financial statements.

**PURPOSE**

The threshold represents the minimum cost an individual asset must have before it is to be recorded as a capital asset on the statement of financial position.

The threshold, has a significant impact on the size of the TCA inventory and the complexity of managing subsequent acquisitions and disposals

**DEFINITIONS**

The capitalization threshold defines the minimum dollar level a municipality will use to determine which expenditures will be capitalized as assets and amortized and which expenditures will be treated as current year expenses. Expenditures that are above the threshold amount and otherwise meet the definition of a TCA are capitalized. Those that fall below the threshold are expensed in the year incurred.

## **SECTION# E**

### **POLICY #5: PSAB 3150 Tangible Capital Policy – Valuing Assets**

#### **POLICY STATEMENT**

The cost of a TCA includes:

- the purchase price of the asset
- other acquisition costs such as:
  1. installation costs; 2 design and engineering fees; 3 legal fees; 4 survey costs;
  - 5 preparation costs; 6 freight charges; 7 transportation insurance costs; and 8 duties

The cost of a constructed asset includes:

- direct construction or development costs (such as materials, contracted services and labour);
- overhead costs directly attributable to the construction or development activity;
- The activities necessary to prepare a tangible capital asset for its intended use encompass more than the physical construction of the tangible capital asset. They include the technical and administrative work prior to the commencement of and during construction provided that it can be shown it is directly attributable to the construction of the TCA.

The cost of each TCA acquired as part of a single purchase (for example, the purchase of a building and land for a single amount) is determined by allocating the total price paid for all of the TCAs acquired to each asset class on the basis of its relative fair value at the time of acquisition.

In general, management overhead is not an eligible cost for capitalization. Indirect labour costs are only allowable in situations where the staff time is clearly attributable to the project and staff are 100% chargeable to certain projects and do not have other non-chargeable duties when not engaged in project work.

Interest costs related to the financing of the acquisition or construction of a tangible capital asset are not capitalized.

#### **PURPOSE**

Once the capital inventory is assembled, opening asset values need to be determined. Some of this work can be captured simultaneously with the gathering of inventory information described in the previous section.

If a cost, direct or indirect, is not absolutely necessary for completing the acquisition or betterment of a TCA, it is not allowable for capitalization.

#### **DEFINITIONS**

The cost of a tangible capital asset is the amount of consideration given up to acquire, construct, develop, or better a tangible capital asset and includes all costs directly attributable to acquisition, construction, development, or betterment of the tangible capital asset, including installing the asset at the location and in the condition necessary for its intended use. The definition of cost precludes the netting of capital grants or donations against the cost of the asset.

## **SECTION# F**

### **POLICY #6: PSAB 3150 Tangible Capital Policy – Amortization**

#### **POLICY STATEMENT**

Amortization for the City of Guelph will be primarily based on the straight line method of depreciation or another method approved by the Director of Finance. Further, 50% of the annual amortization amount will be recorded in the year of acquiring an asset, putting an asset into service. In the event of an asset being disposed of before its natural useful life, the half year rule will not apply but rather disposition will be calculated to the actual date of disposal.

#### **PURPOSE**

The amortization of the costs of tangible capital assets is accounted for as expenses in the Consolidated Statement of Financial Activities. Amortization expense is an important part of the cost associated with providing municipal services, regardless of how the acquisition of tangible capital assets is funded.

Amortization of TCA's reflects the cost to the municipality of utilizing the TCA in providing services. The cost of property, equipment and other capital assets is essentially a long-term prepayment of an expense in advance of the use of the asset. As the economic service life of the asset expires, the cost of the asset is systematically allocated to operations as an expense called "amortization".

#### **DEFINITIONS**

Amortization is the process of allocating the cost of a tangible capital asset, net of its residual value, over its estimated useful life. Amortization allocates the cost of a tangible capital asset in a systematic and rational manner matches the cost of the tangible capital asset to the periods in which service is derived from the asset.

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**SECTION# G**  
**POLICY #7: PSAB 3150 Tangible Capital Policy – Useful Life**

**POLICY STATEMENT**

Expected useful life is normally the shortest of the asset's physical, technological, commercial and legal life. The physical life of a tangible asset may extend beyond the useful life of an asset. Estimating useful lives of TCAs is a matter of judgment based on experience and should be applied on a consistent basis.

The useful life of a TCA depends on its expected use by the municipality. Factors to be considered in estimating the useful life of a TCA include:

- Experience with similar assets through use;
- Expected future usage;
- Effects of technological obsolescence;
- Expected wear and tear from use or the passage of time;
- The maintenance program;
- Studies of similar items retired; and
- The condition of existing comparable items.

Useful life will be established through collaboration between the Operating Departments and the Finance Department. Generally, the useful life will be utilized for the asset classes.

The service potential of an asset is normally consumed through usage. Factors such as obsolescence, excessive wear and tear or other events could significantly diminish the service potential that was originally anticipated from the asset (section 2.21.).

Financial reporting standards require the useful life of an asset to be reviewed at the end of each reporting period, and, if expectations differ from previous estimates, the change in useful life is to be accounted for as a change in an accounting estimate.

Estimated useful lives were determined based on a careful review of the literature and best practices and subsequent verification from City of Guelph staff based on the average useful lives experienced within the City.

The following table lists the range of useful lives used for the various asset categories. A detailed listing of all asset useful lives can be found in the Tangible Capital Asset Accounting Guidelines Manual and the Asset Valuation Report.

| Infrastructure           |  |
|--------------------------|--|
| Pipes                    | 60-80 years based on material type           |
| Bridges                  | 60 – 80 years based on bridge classification |
| Roads (structure)        | 50 years                                     |
| Roads (pavement surface) | 20 – 30 years based on road classification   |
| Pumping Stations         | Components range from 10-60 years            |
| Supply Facilities        | Components range from 10-60 years            |
| Treatment Plants         | Components range from 10-60 years            |
| Buildings                |  |
| Buildings Components     | Components range from 10-75 years            |
| Equipment                |  |
| Equipment                | Based on type, range from 3-15 years         |
| Vehicles                 |  |
| Vehicles                 | Based on type, range from 3-15 years         |

# TERMS OF REFERENCE



## Audit Committee

### ESTABLISHED BY:

Procedural Bylaw (1996) 15200 Standing Committees

### PURPOSE OF GROUP

It is the audit committee's responsibility to provide independent review and oversight of the City's financial reporting processes, internal controls and independent audit.

### RESPONSIBILITIES

The committee is generally responsible to oversee and advise Council on matters of financial accountability and internal control, including:

- Manage the external audit procurement process
- Select the independent auditors, and recommend appointment to Council, and the appropriate fee
- Determine the appropriate scope of the external audit, including review of the external audit workplan
- Review the auditor's reports with management and the external auditors,
- Review the audit concluding memorandum and management letter and follow up on recommendations and corrective action
- Assess the performance of the external auditors
- Review the City's annual financial report, including consideration of accounting policies, estimates and adjustments, and recommend to Council for approval
- Review changes in the City's accounting policies
- Review the annual internal audit workplan, including risk assessment
- Discuss findings of the city's internal control reviews with management and the external auditors, and follow up on implementation of corrective action
- Prepare an annual report to Council on how the Committee has discharged its duties and met its responsibilities, and recommend to Council any changes to its terms of reference to ensure continued effectiveness

### FREQUENCY OF MEETINGS

The audit committee shall meet quarterly

### MEMBERSHIP OR ATTENDEES

The audit committee shall be comprised of four members of Council and the Mayor. It is the responsibility of Council to ensure that audit committee members have the skills to serve as effective Committee member, including:

- financial literacy, with sufficient understanding of accounting, auditing, financial reporting and internal control to be able, with the assistance of a financial expert, to deliberate meaningfully on the types of issues likely to come before an audit committee
- a general understanding of the City's major economic, operating and financial risks



- an aptitude for understanding complex organizational effectiveness and governance
  - understand the difference between the oversight function of the Audit Committee and the decision-making function of management
  - a willingness to challenge management when necessary
- 

### **ACCOUNTABILITY AND BUDGET**

The Audit Committee reports to Council  
Budget approved annually by Council

## PEOPLE PRACTICES STRATEGY

### GOAL 1

#### A WELL WORKPLACE

Being a “Top Employer” means providing employees with challenging, rewarding, enjoyable and fulfilling careers and assisting them in balancing career with home and personal life through supportive human resource policies and management approaches. The desired end-state is that people will choose to work for the City and dedicate themselves to the City’s success.

#### Strategic Objective:

1.1 A comprehensive Wellness Strategy that fully addresses the physical, social and psycho-social needs of employees and maintains and enhances the current commitment to employee health, safety and wellness.

#### Proposed action items:

- o Continued marketing and ensured maintenance of the Employee Assistance Program
- o Continued marketing and ensured maintenance of existing wellness initiatives i.e. ongoing communication/promotion of health/wellness topics, walking programs, healthy eating promotion etc.
- To explore the feasibility for the following wellness initiatives:
  - o A fitness center e.g. utilizing the Annex building
  - o A “wellness account” as part of the City’s benefit package to be used toward fitness activities e.g. corporate membership/discount for fitness centers in Guelph
  - o Employee discounts for city delivered programs
  - o Workplace childcare
  - o Healthy food choices at city locations
  - o Employee lounge space
  - o Formalized flexible work arrangements

## 1.2 Competitive compensation practices to attract and retain talent while balancing fiscal responsibility

### Proposed action items

- To explore the feasibility for the following initiatives
  - o Provide cafeteria style benefits to employees – allowing employees to choose from a menu of benefit options, within a determined monetary ceiling – pilot with non-union employees from which an evaluation would ensue to determine success from employee’s perspective and cost savings from the employer perspective
  - o Modify vacation entitlements and eligibility – to provide employee’s with vacation entitlement in the first year of employment
  - o Maternity/paternity leave top up – options include top up beyond Employment Insurance Benefits to 75%
  - o Modifying the current overtime practices for NUME employees
  - o Establish a council approved ‘competitive’ position with an approved comparator group to maintain salary competitiveness for the Non-union group of employees
  - o Conduct a review of the City’s Income Protection Plan (e.g. sick leave entitlement) to ensure competitiveness and alignment with the Corporate Values
  - o A computer purchase program – e.g. interest free loans to employees payable within a defined term through payroll deduction

## 1.3 A Workplace Diversity Strategy

### Proposed action items:

- To undertake the following initiatives
  - o Confirm the City’s commitment to attraction, recruitment, development and retention efforts to ensure a workforce that recognizes (is reflective of) the community it serves
  - o Education/awareness diversity training initiatives
  - o Employee diversity/affinity groups
  - o Employment systems review to ensure systemic barrier free recruitment
  - o Communications that regularly promotes/celebrates/highlights the diversity of City employees
  - o Development and implementation of workplace harassment, diversity and anti-violence policies that facilitate respectful workplace practices

- o Establish Council Advisory Committees that reflect diverse communities in Guelph to advise the City on issues affecting them (e.g. employment, accessibility, public consultation etc.)

#### 1.4 Employee Recognition

##### Proposed action items

- To maintain the City's commitment to recognition of employee contributions e.g.
  - o Annual recognition evening
  - o Summer BBQ
  - o Holiday celebrations
  - o Employee and website FROG program

#### 1.5 Flexible Work Arrangements

##### Proposed action items

- To explore the feasibility of the following options
  - o flexible work hours
  - o compressed work week
  - o telecommuting
  - o job sharing
  - o flexible retirement options
  - o Community volunteering – defined hours to a maximum each year during work hours

#### 1.6 Continuity and Integration of the City's Corporate Values

##### Proposed action items

- To:
  - o Annually reconfirm the City's commitment through SMT and Council communication
  - o Regular marketing
  - o Incorporation of the Corporate values into human resource policies, programs and services e.g. performance appraisals, selection and recruitment, training

## 1.7 Employee Involvement in decision making

### Proposed action items

- To explore the feasibility for the following items:
  - o Utilization of ad hoc employee focus groups
  - o More effective consultation and communication with employees where decisions affect their work
  - o Department information sessions to receive employee input into department workplans
  - o Establish corporate advisory/strategy groups e.g. Human Resources, Information technology, Financial sustainability, Efficiency/Effectiveness

## GOAL 2

### Learning Organization

The learning organization can best be described as one that fosters learning as a way of life, that encourages creativity, and that actively and visibly promotes and invests in the ongoing skill and knowledge development of its employees, tied to the organization's goals. It can also be described as commitment and support for an alignment of career development with personal goals and corporate objectives.

### 2.1 A Core Learning Curriculum

#### Proposed action items

- o Re-evaluate competencies identified for employees and establish clear linkages between
  - Core competencies required by all City employees
  - Role competencies (e.g. Director, manager, professional/technical, skilled/semi-skilled workers)
  - Job specific competencies
- o Develop a series of cyclical courses/training programs which develop these skills

2.2 A Learning Policy that supports learning that is linked to the City's Strategic Plan and that addresses learning that is:

- Required by legislation for different role or professions
- Job related
- Used to build individual capacity and skills, enabling learners to move to other roles in the organization

Proposed action items

- To explore the feasibility of the following:
  - o Internal and external job exchanges
  - o Job enrichment or 'stretch assignments
  - o Cross departmental learning
  - o Equitable access to professional development courses/conferences/seminars
  - o Partnerships with external learning institutions
  - o Education leaves
  - o Secondments

2.3 Best in class Recruitment practices

Proposed action items

- To explore the feasibility of the following:
  - o to incorporate assessment of 'Corporate Values'
  - o to remove 'credentialism' as systemic barriers for internal and external applicants
  - o to leverage existing internal talent e.g. incorporation of performance assessment information as part of selection process

## GOAL 3

### Leadership

Leadership is vision, motivation, and action. It creates the future, provides guidance, direction, inspiration and empowers people to realize their potential. The City needs to capitalize on its leaders at all levels in the organization, to cultivate energy, enthusiasm, and a sense of purpose and direction. Lastly, leadership is taking responsibility for decisions taken or not taken and is characterized by integrity and credibility. Leadership inherently reflect the values of our organization i.e. Integrity, Excellence and Wellness.

#### 3.1 A Succession Management Program

##### Proposed action items

- Develop a succession management model for approval that would incorporate the following:
  - o Identification of key leadership and 'high risk' positions
  - o Identification of key feeder positions and/or high potential candidates
  - o development programs for potential successors to develop skills, knowledge and competencies to assume key leadership and/or high at risk positions

3.2 A Performance Appraisal System for all employees to capture meaningful feedback and plans for employees, to support their competency development and career plans, tied to the Strategic Plan.

##### Proposed action items:

- Establish formal expectation that all employees will participate in at least an annual performance discussion with their direct report
- Conduct a review of the current process and associated forms to facilitate performance reviews/appraisals and to include an assessment of achievement of goals/objectives based on agreed workplans

##### To explore the feasibility of:

- a pay for performance system for NUME employees

#### 3.3 A Leadership Development program

##### Proposed action items

- develop a program which builds leaders at levels in the organization that develops skills and competencies to deliver efficient and effective services, while motivating, developing and engaging employees

- formally establish an expectation that new management employees complete the online Leadership Orientation program

## GOAL 4

### Business and Service Excellence

Within the City of Guelph context, business and service excellence can be described as providing 'best in class' customer service. This is achieved through an integration of business objectives, optimal use of technology, well-trained staff and effective management of change. In addition, objectively measuring performance acts as a key component to continuous improvement.

4.1 A Replacement Planning Strategy that builds the skills of existing employees and identifies the sources of future staffing needs to meet the needs of future workforce requirements.

#### Proposed actions:

To explore the feasibility of:

- apprenticeship programs
- mentoring programs
- internship programs
- management training programs
- enhanced Co-operative education placement programs
- targeted outreach recruitment
- Partnerships with educational institutions

#### 4.2 An Information Technology Strategy

##### Proposed actions

- Development of a long range plan to ensure effective deployment of technology that provides:
  - o Secure and reliable infrastructure
  - o IT systems that enable and support streamlined business decision making
  - o Enhanced customer service by leveraging available technology
  - o Leveraging of 'e-government' options
  - o Enabled knowledge workers
  - o City wide online employee access e.g. Kiosk availability
  - o Streamlined business processes through data sharing and system integration



#### 4.3 A Corporate Communications Strategy

Proposed actions:

- Develop a plan involving representatives from all departments to develop a plan which identifies the mechanisms in which information will be shared internally and externally, the expectation of employees, leaders, and resources available.
- Develop plans which facilitate a two way employee communication exchange, supports employee engagement and markets City services with pride

#### 4.4 A Customer Service/Service Excellence Strategy

Proposed actions:

- Develop a plan involving representatives from all departments, which outlines delivery standards for both internal and external customer service and accompanying training resources.
- Explore future enhancements to customer service methods (e.g. 311 call centre)

#### 4.5 Effective Change Management

Proposed actions:

- For every change initiative ensure there is an accompanying People Transition Plan that includes robust communication, involvement where possible affected employees in the pre, during and post change and business continuity plans to ensure uninterrupted service delivery

#### 4.6 Commitment to Standard Operating Procedures and Policy development

Proposed actions:

- Establish expectations as to the use of corporate vs. departmental policies and procedures, when they should be in place, templates, approval process and training resources.

#### 4.7 Commitment to consistent to business process design and service review methodology

Proposed actions:

- Develop the above with elements that include methods to ensure:

- That processes are easily understood by employees
- That employees are assisted in seeing how their work contributes to the Strategic Plan
- consistent measurement methods are used to demonstrate improvements
- resources are in place to support plans (e.g. People, equipment, and training)

#### 4.8 A corporate Environmental Responsibility Strategy

Proposed actions:

- develop a plan, involving representatives from all departments, which outlines how City staff and departments will conduct themselves, processes and practices in an environmentally friendly manner.
  - o Examples to explore include : requirement to turn off lights, computers, vehicles when not in use (i.e. elimination of idling), use of re-usable cups, utensils etc in all city facilities, city policies to buy green products and services, employee suggestions to improve environmentally responsible actions





# CORPORATE POLICY AND PROCEDURE

|                 |  |
|-----------------|--|
| POLICY          | Raising, displaying and half-masting of outdoor flags at City properties and facilities. |
| CATEGORY        | Corporate  |
| AUTHORITY       | Information Services, City Clerk's   |
| RELATED POLICES |  |
| APPROVED BY     | Council  |
| EFFECTIVE DATE  |  |
| REVISION DATE   |  |

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## **POLICY STATEMENT**

This policy applies to requests for flying courtesy flags in front of City Hall and occasions for the raising, displaying and half-masting of outdoor flags at all municipal facilities. This policy supersedes all previous policies or resolutions.

## **PURPOSE**

To define the criteria and process for raising, displaying and half-masting of outdoor flags at City properties and facilities of the Corporation of the City of Guelph.

## **DEFINITIONS**

**The Canadian Flag:** The Canadian Flag of Canada as approved by Parliament and proclaimed by Her Majesty Queen Elizabeth II, Queen of Canada, on February 15, 1965.

**The Ontario Flag:** The current Ontario Flag as proclaimed by the Flag Act on May 21, 1965.

**The Guelph Flag:** The current Guelph Flag as adopted by the Guelph City Council in April 1979. The original crest on the flag was adopted when Guelph became a City in 1879.

## **PROCEDURES**

### **A. Displaying Permanent Flags**

The City Hall and Municipal facilities shall fly the Canadian, Ontario and City Flags where provision for the display of such flags has been made in accordance with the following rules:

1. A flag is to be removed and replaced when it becomes worn, noticeably faded or otherwise unfit for service.

2. No flag should be displayed above or higher than the Canadian flag.
3. In locations with only one flag pole the Canadian flag shall be flown.
4. In locations with two flag poles, the Canadian flag shall always be flown on the left as seen by spectators in front of the flags.
5. In locations with three flag poles, the Canadian flag shall be flown on the centre pole, with the next ranking flag to the left and the third ranking flag to the right as seen by spectators in front of the flags.
6. In locations with more than three flag poles, the flags shall be flown with the Canadian flag to the left of the observer facing the flags followed by flags representing other sovereign nations ordered alphabetically, followed by flags of provinces/territories, then cities, then organizations. An additional Canadian flag may be flown at the end of the line.
7. In front of City Hall with four flag poles the provincial flag shall be flown to the left of the Canadian flag and the City flag shall be flown to the right of the Canadian flag and the courtesy flag pole to the right of the City flag pole as seen by spectators in front of the flags.
8. When raising and lowering flags, since the Canadian flag shall always be equal to or higher than the other flags, the Canadian flag shall be raised first.
9. All worn and faded flags which have been replaced are to be neatly folded in a large envelope and sent to the Guelph Fire Services for disposal.
10. Municipal sites with more than one flag pole shall fly the Canadian flag, and may choose which other flags they want to fly, as long as they follow the rules for displaying flags as per this policy.

#### **B. i) Courtesy Pole Flag Raisings or Displaying Flags**

1. The courtesy flag pole at the City Hall only, shall be used for the raising and displaying of flags other than the Canadian, Ontario and Guelph flags.
2. Requests for the raising and displaying of flags may be approved:
  - a. To celebrate the achievement of a non-profit or charitable organization in connection with a particular event of the organization and for public awareness campaigns;
  - b. In recognition of a state visit to the City for the duration of the visit or for one week, whichever is the lesser;
  - c. In recognition of a visit from representatives of other governments with whom the City has a relationship, such as, but not limited to, twinning, FCM or AMO programs;
  - d. In recognition of other organizations or events not identified in this section, at the discretion of the Mayor and/or CAO.
3. Requests shall not be approved for the following:
  - a. Political parties or political organizations;
  - b. Religious organizations or the celebration of religious events;
  - c. Commercial entities;
  - d. If the intent is contrary to City policies or By-laws;
  - e. If the group requesting the raising espouses hatred, violence or racism;
  - f. More than one time per year per group.

**C. ii) Process for Courtesy Flag Pole Displaying and or Raising of Flags**

1. Requests to use the courtesy flag pole at City Hall shall be submitted in writing to the Clerk's Office using the form in Appendix A;
2. The Clerk's Office shall review all requests in accordance with City procedure and advise the Mayor's office of the outcome of the review;
3. If the requestor would like the Mayor or representative to be present for the flag raising, he or she should contact the Mayor's Office before submitting a request to the Clerk's Office;
4. Requests shall be processed and confirmed on a first come first served basis and where there is a conflict the completed form which was received first shall take precedence;
5. Notwithstanding section Bi)2b. courtesy flags shall be raised and displayed for one week, unless there are no other requests to fly a courtesy flag, in which case the existing flag can be flown for more than one week if specified on the application;
6. The Clerk's office shall notify Corporate Property of the flags to be raised and displayed as appropriate;
7. Requesters shall provide their flag to the City at least 5 days in advance of the event with instructions regarding how the flag is to be flown;
8. Corporate Property staff shall be responsible for the raising and displaying of flags as required, unless there is a request for a ceremonial raising of the flag where it shall be installed by staff and raised by the applicant;
9. Flags shall be raised and lowered during regular business hours when staff and equipment resources are available.
10. Public notice of the raising of the courtesy flag shall be posted on the City web-site.

**D. i) Half-masting**

1. Flags are flown at the half-mast position at City Hall and municipal facilities as a sign of respect and condolence or to commemorate significant dates.
2. A flag is half mast when the centre of the flag is half-way down the mast.
3. Some flags cannot be lowered to half mast or removed without the use of an aerial truck. Because these flags cannot be readily lowered to half mast they shall always fly at the top of the flag pole. An example is the flag at Exhibition Park.
4. All flags shall be flown at half mast, for the following specific occasions from the day the City is aware of the death until the funeral:
  - a. On the death of a current or former Mayor;
  - b. On the death of a current Member of Council;
  - c. On the death of a current City of Guelph employee;
  - d. On the death of the current Lieutenant Governor of Ontario, or the Premier of Ontario;
  - e. On the death of the current Governor General, or the current Prime Minister;
  - f. On the death of the current Sovereign or a member of the Royal Family related in the first degree to the Sovereign (spouse, son or daughter, father, mother, brother or sister), their spouse or their children;

- g. On the death of a current local Member of Parliament or local Member of Provincial Parliament;
  - h. In recognition of the death of a current Police Chief, or active City Police Officer.
5. Flags may be flown at half-mast in respect of a person or persons not specifically identified in this section, at the discretion of the Mayor and/or the CAO.

**D. ii) Process for Half-masting**

1. The Clerk's Office shall be responsible for notifying the staff of all facilities of the half-masting of flags (as per the attached list), with respect to the reason, and the duration that the flag shall be flown at half-mast.
2. When hoisted to or lowered from a half mast position, a flag should be first raised to the masthead.
3. When lowering flags to half mast the Canadian flag shall be the last to be lowered and the first to rise again.
4. When a flag is flown at half-mast, all other flags shall also be flown at half-mast and at no time should the Canadian flag be flown lower than any other flag.
5. Corporate Property Services shall maintain an inventory of all government flags flown at City Hall and its corporate properties.
6. The appropriate staff at each location shall be required to lower and raise the flags in accordance with the Clerk's office notification;
7. Public notice of the reason for the half-masting shall be posted on the City website.

Appendix A  
**Request to Raise and Display a Flag on the  
Courtesy Flag Pole**

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| <b>Name and Address and email of Organization</b>  |
| <b>Organization's mandate, purposes or goals and objectives<br/>(please attach)</b>  |
| <b>Contact Person and contact information</b>  |
| <b>Reason for Request</b>  |
| <b>Dates for Flying flag</b>   |
| <b>Signature of requestor</b>  |
| <i>Please note:<br/>If you would like the mayor or designate to be present at the flag raising, arrangements should be made in advance of submitting your application as her availability may affect your dates. Please contact the Mayor's Office at 519-837-5643 or mayor@guelph.ca.</i> |

As per City of Guelph Policy, flag display requests shall not be approved for the following:

- a. Political parties or political organizations;
- b. Religious organizations or the celebration of religious events
- c. Commercial entities
- d. If the intent is contrary to City policies or By-laws
- e. If the group requesting the raising espouses hatred, violence or racism; or,
- f. More than one time per year per group.

Personal Information on this form is collected and used for the purpose collected, under the authority of Municipal Act, as amended. Questions about the collection of personal information should be directed to: the Clerk's Office, 519-822-1260.



