

Correspondence 797 Victoria Road North

From: Alexander Smith <[REDACTED]>

Sent: Wednesday, October 6, 2021 2:04:35 PM

To: mayor@guelph.ca <mayor@guelph.ca>; dan.gibson@guelph.ca <dan.gibson@guelph.ca>; bob.bell@guelph.ca <bob.bell@guelph.ca>; james.gordon@guelph.ca <james.gordon@guelph.ca>; rodrigo.goller@guelph.ca <rodrigo.goller@guelph.ca>; Phil Allt <phil.allt@guelph.ca>; june.hofland@guelph.ca <june.hofland@guelph.ca>; mike.salisbury@guelph.ca <mike.salisbury@guelph.ca>; christine.billings@guelph.ca <christine.billings@guelph.ca>; Leanne Caron <Leanne.Caron@guelph.ca>; cathy.downer@guelph.ca <cathy.downer@guelph.ca>; mark.mackinnon@guelph.ca <mark.mackinnon@guelph.ca>
Cc: tony@guelphtoday.com <tony@guelphtoday.com>
Subject: Re: Minutes of September 30th Council Meeting

Providing an ineffective opportunity to delegate exemplifies the degree to which Council has lost its procedural way on this matter

Please permit my emails to serve as my delegation, as ineffective as they may be.

Respectfully.

Alex Smith

Alex Smith

Cell: [REDACTED]

From: Alexander Smith <[REDACTED]>

Sent: Wednesday, October 6, 2021 2:00:56 PM

To: mayor@guelph.ca <mayor@guelph.ca>; dan.gibson@guelph.ca <dan.gibson@guelph.ca>; bob.bell@guelph.ca <bob.bell@guelph.ca>; james.gordon@guelph.ca <james.gordon@guelph.ca>; rodrigo.goller@guelph.ca <rodrigo.goller@guelph.ca>; Phil Allt <phil.allt@guelph.ca>; june.hofland@guelph.ca <june.hofland@guelph.ca>; mike.salisbury@guelph.ca <mike.salisbury@guelph.ca>; christine.billings@guelph.ca <christine.billings@guelph.ca>; Leanne Caron <Leanne.Caron@guelph.ca>; cathy.downer@guelph.ca <cathy.downer@guelph.ca>; mark.mackinnon@guelph.ca <mark.mackinnon@guelph.ca>

Cc: tony@guelphtoday.com <tony@guelphtoday.com>

Subject: Re: Minutes of September 30th Council Meeting

I have just learned that delegations are permitted for the meeting at 4 PM. I do not understand how anyone would think that inviting delegations at the last moment with no effective notice represents public input.

I cannot delicate this afternoon, but Ben if I could, I have no idea what motions you will be debating or what staff recommendations you will be considering. Trying to speak to the issue on the fly would waste 5 minuets of your time and mine.

If the emergency meeting is to stay the demolition order, that would be reasonable. But if the purpose of the meeting is to "clean up the mess", then it should be done with proper notice in an open process. Providing an ineffective opportunity to delligate

Alex Smith

Cell: [REDACTED]

From: Alexander Smith <[REDACTED]>

Sent: Wednesday, October 6, 2021 10:37:36 AM

To: mayor@guelph.ca <mayor@guelph.ca>; dan.gibson@guelph.ca <dan.gibson@guelph.ca>; bob.bell@guelph.ca <bob.bell@guelph.ca>; james.gordon@guelph.ca <james.gordon@guelph.ca>; rodrigo.goller@guelph.ca <rodrigo.goller@guelph.ca>; Phil Allt <phil.allt@guelph.ca>; june.hofland@guelph.ca <june.hofland@guelph.ca>; mike.salisbury@guelph.ca <mike.salisbury@guelph.ca>; christine.billings@guelph.ca <christine.billings@guelph.ca>; Leanne Caron <Leanne.Caron@guelph.ca>; cathy.downer@guelph.ca <cathy.downer@guelph.ca>; mark.mackinnon@guelph.ca <mark.mackinnon@guelph.ca>

Cc: tony@guelphtoday.com <tony@guelphtoday.com>

Subject: Minutes of September 30th Council Meeting

Dear Mayor and Councilors,

I have reviewed the Minutes for the Council meeting on September 30 and note that the minutes misrepresent the motion that was passed by council to suspend the Procedural By-law as it relates to the reconsideration of a council decision.

If you review the recording of the Council session, you will note:

Before the motion regarding the Procedural By-law was moved, the Mayor asked City Clerk O'Brien whether the votes to suspend rules needed to be done in open session. O'Brien said it was best to waive rules now [4:10] and went on to say:

Waive rules of procedure, especially as it relates to reconsideration of Council decisions. That can be done now, so it requires a two-thirds majority of the whole of council, so that's nine members of council in any situation. That's also with respect to the waiving of rules and reconsiderations. **And the only other thing I would mention is that following that, votes can be made as just a traditional majority of Council.** [4:52]

Before the Council voted unanimously to suspend the procedural By-law a copy of the Motion moved was shown on the screen:

Suspension of Procedural By-law

Section 5.8 – Reconsideration of a Council Decision

That Section 5.8 (a) to (g) inclusive and (i) of the City of Guelph Procedural By-law be suspended.

The Mayor then read the Motion verbatim.

The item is reflected in the minutes as follows:

Suspension of Procedural By-law - Reconsideration of a Council Decision

This item has Video

[Seek Video to this item][Play/Pause video]

- Moved ByCouncillor Caron

Seconded ByCouncillor Downer

That Section 5.8 (a) to (f), inclusive, and (i) of the City of Guelph Procedural By-law be suspended.

Clearly the Minutes do not reflect the Motion that was passed by Council: Subsection 5.8 (g) was included in the Motion passed, but it omitted from the version in the Minutes.

I note that the Motion actually passed by Council, which included subsection (g) suspended the requirement for a super majority to reconsider an earlier decision so that nothing more than a simple majority of those Councilors voting was required to pass the motion to reconsider. According to the accurate record, I would argue that the Mayor should have found that the vote to reconsider the September 27th motion was passed by

Council's seven to four vote. The Procedural Bylaw [S. 5.8 (h) directs that the reconsideration effectively returns Council to just prior to the original Council decision. In other words, the original (September 27th) motion is deemed not to have been passed.

I would like to know who authorized the publishing of a misleading version of the Minutes. If members of Council are of the opinion that they misunderstood the Motion that was passed, there are ways of dealing with that issue. Simply altering the Minutes to reflect the Motion that someone thinks should have been passed cannot be the appropriate process for dealing with the issue.

This is an issue that in my respectful submission goes to the integrity of City staff and City Council.

This issue should be dealt with by Council in open session, on proper notice and with concerned citizens having the right to make delegations. The demolition of the Shortreed farmhouse should be stayed until that process has occurred.

Respectfully,

Alex Smith

C-