



Minutes of Guelph City Council

October 6, 2021, 4:00 p.m.

Remote meeting live streamed on guelph.ca/live

- Council:**
- Mayor C. Guthrie
 - Councillor P. Allt
 - Councillor B. Bell
 - Councillor C. Billings
 - Councillor L. Caron
 - Councillor C. Downer
 - Councillor D. Gibson
 - Councillor R. Goller
 - Councillor J. Gordon
 - Councillor J. Hofland
 - Councillor M. MacKinnon
 - Councillor D. O'Rourke
- Absent:**
- Councillor M. Salisbury
- Staff:**
- S. Stewart, Chief Administrative Officer
 - C. Clack-Bush, Deputy Chief Administrative Officer, Public Services
 - J. Holmes, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services
 - T. Lee, Deputy Chief Administrative Officer, Corporate Services
 - C. Cooper, General Manager, Legal Realty and Court Services/City Solicitor
 - K. Walkey, General Manager, Planning and Building Services
 - S. O'Brien, General Manager, City Clerk's Office/City Clerk
 - G. Meades, Council and Committee Coordinator
 - D. Tremblay, Council and Committee Coordinator
-

2. Call to Order

Mayor Guthrie called the meeting to order. (4:00 p.m.)

2.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

3. 797 Victoria Road North

The following delegation spoke:

Luke Weiler

Mayor Guthrie spoke regarding the Special City Council meeting which took place on September 30th, in particular, rules of motions to suspend sections of the City's Procedure By-law, reconsiderations of motions and requirements of a super majority, nine affirmative votes of Council, to suspend rules and reconsideration of motions. He provided an explanation of the incorrect reference in the displayed motion to suspend the rules at the September 30th meeting and the purpose of the October 6th meeting being to address the procedural error.

Stephen O'Brien, City Clerk, provided a summary of the procedure for Council's reconsideration of motions, the super majority vote requirements of nine affirmative votes for suspension of Procedure By-Law rules and reconsiderations, and recognized there was an incorrect reference in the displayed motion to suspend the rules at the September 30th Special City Council Meeting and he provided verbal clarification to Council at the September 30th meeting that nine affirmative votes were required to reconsider a motion. Mr. O'Brien stated that displayed motions are not the formal record of the actions of Council, but rather a tool to support Council's considerations and that, minutes are prepared based on the totality of the meeting and the rulings of the Chair. Mr. O'Brien stated that on September 30, the Chair declared that the vote count was seven-four, the motion to reconsider was defeated, as it did not meet the super majority requirements of nine votes and the minutes have been prepared based on the Chair's ruling at that meeting.

Mayor Guthrie clarified Mr. O'Brien's comments that section 5.8(g) was incorrectly referenced in the displayed motion to suspend the Procedure By-law rules, there now exists a discrepancy between the displayed motion and draft minutes prepared by the Clerk with the purpose of today's Special Meeting to address this discrepancy.

Mr. O'Brien provided a summary of the September 30th draft minutes which were posted to guelph.ca.

Scott Stewart, Chief Administrative Officer, provided confirmation on commitments made during the September 30 meeting to review staff procedures which took place relating to the 797 Victoria Rd. North item.

Motion

Moved By Councillor MacKinnon

Seconded By Councillor Gibson

That Council affirms the proceedings of the Special City Council meeting held on September 30, 2021, as presented in draft minutes, prepared by the City Clerk in accordance with section 228(1) of the Municipal Act, and posted to guelph.ca.

Motion to Call the Vote

Moved By Councillor Gibson

Seconded By Councillor Billings

That the vote on the motion regarding the affirmation of the proceedings of the Special City Council Meeting held on September 30, 2021, as presented in draft minutes, prepared by the City Clerk in accordance with section 228(1) of the Municipal Act, and posted to guelph.ca be called as permitted under Section 4.10(f)(v) of the Procedural By-law.

Point of Order

Councillor MacKinnon raised a point of order seeking clarification as to the number of votes required for majority vote on the motion to call the vote and whether it is based upon the number of Councillors in attendance at a meeting.

The Chair ruled that 7 votes are required for a majority vote and based on 13 members of Council.

Councillor Gibson raised a point of order and requested the Clerk display the motion for clarity.

The Chair ruled that motion before Council was to call the vote and the motion would not be displayed.

Motion to Call the Vote

Moved By Councillor Gibson

Seconded By Councillor Billings

That the vote on the motion regarding the affirmation of the proceedings of the Special City Council Meeting held on September 30, 2021, as presented in draft minutes, prepared by the City Clerk in accordance with section 228(1) of the Municipal Act, and posted to guelph.ca be called as permitted under Section 4.10(f)(v) of the Procedural By-law.

Voting in Favour: (5): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Gibson, and Councillor Goller

Voting Against: (7): Councillor Allt, Councillor Caron, Councillor Downer, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, and Councillor O'Rourke

Defeated (5 to 7)

Point of Order

Councillor MacKinnon raised a point of order stating that the minutes and video for the September 30, 2021 meeting were posted to guelph.ca for members of Council and public's information.

The Chair did not make a ruling on the point of order.

Councillor Allt raised a point of order that the minutes had been posted less than 24 hours before the calling of the Special Meeting.

The Chair did not make a ruling but thanked Councillor Allt for his comments.

Motion

Moved By Councillor MacKinnon

Seconded By Councillor Gibson

That Council affirms the proceedings of the Special City Council meeting held on September 30, 2021, as presented in draft minutes, prepared by the City Clerk in accordance with section 228(1) of the Municipal Act, and posted to guelph.ca.

Voting in Favour: (7): Mayor Guthrie, Councillor Billings, Councillor Gibson, Councillor Goller, Councillor Hofland, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (5): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, and Councillor Gordon

Carried (7 to 5)

Councillor Billings left the meeting at 5:12 p.m.

Motion

Moved By Councillor Caron
Seconded By Councillor Allt

THAT the Staff Report regarding 797 Victoria Road North be released to the public with Closed Session information removed within 24 hours of this meeting.

The motion was withdrawn by the mover and seconder.

Motion

Moved By Councillor Caron
Seconded By Councillor Allt

THAT the Staff Report regarding 797 Victoria Road North be released to the public with Closed Session information removed within 36 hours, noon Friday.

Voting in Favour: (9): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, and Councillor O'Rourke

Voting Against: (2): Councillor Gibson, and Councillor MacKinnon

Carried (9 to 2)

Councillors Gibson left the meeting at 5:25 p.m.

Motion

Moved By Councillor Caron
Seconded By Councillor Allt

THAT the City of Guelph Municipal Register of Cultural Heritage Properties be amended to correct the address listing of 797 Victoria Road North (from 774 Victoria Road North).

Voting in Favour: (10): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, and Councillor O'Rourke

Carried (10 to 0)

5. By-laws

5.1 By-law Number (2021) - 20635

Moved By Councillor O'Rourke
Seconded By Councillor MacKinnon

That By-law number (2021)-20635 is hereby passed.

Voting in Favour: (6): Mayor Guthrie, Councillor Bell, Councillor Goller, Councillor Hofland, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (4): Councillor Allt, Councillor Caron, Councillor Downer, and Councillor Gordon

Carried (6 to 4)

6. Adjournment

Moved By Councillor MacKinnon
Seconded By Councillor Caron

That the meeting be adjourned. (5:28 p.m.)

Voting in Favour: (10): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, and Councillor O'Rourke

Carried (10 to 0)

Mayor Guthrie

Stephen O'Brien - City Clerk