



Minutes of Guelph City Council

October 25, 2021, 6:00 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
Councillor M. Salisbury

Staff:

S. Stewart, Chief Administrative Officer
D. Evans, Acting 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
J. Rose, General Manager, Environmental Services
J. Regan, General Manager, Economic Development and Tourism
A. Vilkkko, General Manager, Facilities and Energy Management
M. Aldunate, Manager Policy Planning and Urban Design
I. Scott, Manager Facility Design and Construction
S. O'Brien, General Manager, City Clerk's Office/City Clerk

2. Call to Order

Mayor Guthrie called the meeting to order. (6:01 p.m.)

Councillor Caron raised a point of procedure. Councillor Caron proposed to bring forward a motion regarding closed meeting minutes from recent meetings.

Mayor Guthrie allowed Councillor Caron to introduce the motion.

Moved By Councillor Caron

Seconded By Councillor Downer

That the Minutes of Closed Session held September 27, 2021 and September 30, 2021 on the matter of 797 Victoria Road North shall be posted on guelph.ca and entered into the public record.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor O'Rourke, and Councillor Salisbury

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

Carried (11 to 2)

3. Authority to move into closed meeting

Councillor MacKinnon raised a point of order. Council MacKinnon requested that Council proceed with the open portion on the agenda to remain on schedule.

Mayor Guthrie ruled that Council would continue with the closed portion of the agenda and begin the open portion once they have concluded in closed.

Moved By Councillor Hofland

Seconded By Councillor O'Rourke

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act Section 239(2) (d) labour relations or employee negotiations.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

The following items were considered:

3.1 Disclosure of Pecuniary Interest and General Nature Thereof (closed items)

3.2 Confirmation of meetings for the closed Council meetings held September 13, 27 and 30, 2021, and the closed Committee of the Whole meeting held September 7, 2021.

3.3 Memorandum of Agreement between City of Guelph and IATSE Local 357 - 2021-329

4. Open Meeting – 6:30 p.m.

Mayor Guthrie called the meeting to order. (6:34 p.m.)

4.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

4.5 Closed Meeting Summary

Mayor Guthrie provided an update of closed session including the completion of the confirmation of closed minutes. Mayor Guthrie also indicated that City Council has directed staff to finalize and execute an agreement with the International Alliance of Theatrical Stage Employees Local 357 and the City of Guelph.

5. Confirmation of Open Minutes

The following delegates spoke on the matter:

Alex Smith

Moved By Councillor Goller

Seconded By Councillor Gibson

That the minutes of the open Council Meetings held September 13, 22, 27, 30 and October 6, 2021, and the open Committee of the Whole meeting held September 7 and October 4, 2021, be confirmed as recorded and without being read.

Councillor Caron requested that the motion be separated to have separate votes on the minutes of September 30, 2021 and October 6, 2021.

Moved By Councillor Goller

Seconded By Councillor Gibson

That the minutes of the open Council Meetings held September 13, 22, 27, 2021, and the open Committee of the Whole meeting held September 7 and October 4, 2021, be confirmed as recorded and without being read.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Moved By Councillor Goller

Seconded By Councillor Gibson

That the minutes of the open Council Meetings held September 30, 2021, be confirmed as recorded and without being read.

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

Voting Against: (6): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, Councillor Gordon, and Councillor Salisbury

Carried (7 to 6)

Moved By Councillor Caron

Seconded By Councillor Allt

That the Minutes of October 6, 2021 be amended to remove all note or comment, and show only the actions of Council, in accordance with standard practice.

Councillor Allt raised a Point of Order. Councillor Allt asked Mayor Guthrie that the motion be displayed on screen. Mayor Guthrie asked the Clerk to display the motion on screen which was done.

Councillor Allt raised a Point of Order and asked the Mayor, to rule if comments by Councillor Gibson should remain specifically towards the

current motion on the amendment of the October 6, 2021 minutes and not on the chronology of events leading up to the October 6, 2021 meeting.

Mayor Guthrie asked that Councillor Gibson continue with his comments towards the current motion on the floor and ruled that Councillor Gibson could resume his commentary.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Voting Against: (1): Councillor Gibson

Carried (12 to 1)

Moved By Councillor Hofland

Seconded By Councillor Salisbury

That the minutes of the open Council Meeting held October 6, 2021 be confirmed, as amended, and without being read

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

6. Committee of the Whole Consent Report

Councillor MacKinnon requested that item 6.1 Public Petitions Policy - 2021-279 be pulled and added to Items for Discussion.

Moved By Councillor Salisbury

Seconded By Councillor Hofland

That the remaining items of the October 25, 2021 Committee of the Whole Consent Report as identified below, be adopted:

6.1 649 Scottsdale Drive - Refusal to Issue Tree Permit - 2021-289

1. That Council support the staff issued Refusal to Issue Permit, as per the Private Tree Bylaw for 649 Scottsdale Drive.

6.2 MTO Connecting Links Program 2022 2023 - York Road Phase 3 - 2021-292

1. That staff be authorized to submit an application to the Ministry of Transportation with respect to the 2022-2023 Connecting Links Program for the reconstruction of York Road from Stevenson Street to Victoria Road.
2. That staff be authorized to confirm to the Ministry of Transportation that Council:
 1. supports of the project identified in the application;
 2. confirms that capital funding is available for the municipal contribution component; and,
 3. agrees that if the application is successful, the municipality will proceed with the project in accordance with the timelines specified in the application.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

7. Council Consent Agenda

Moved By Councillor Salisbury

Seconded By Councillor Hofland

That the October 25, 2021 Council Consent Agenda as identified below, be adopted:

7.1 County of Wellington Awards the City of Guelph Affordable Housing Funding - 2021-305

1. That, in accordance with report #2021-305 dated October 25, 2021, \$884,000 be awarded to the Guelph Welcome In Drop In Centre from the Affordable Housing Reserve (#119) for Grace Gardens, the supportive housing project at 721 Woolwich Street.
2. That to the satisfaction and authority of the City Solicitor and Deputy Chief Administration Officer of Public Services, the necessary agreements be entered into and executed with Guelph Welcome In Drop In Centre to fund, outline, and monitor project criteria for the supportive housing project at 721 Woolwich Street.

3. That, in accordance with report #2021-305 dated October 25, 2021, \$383,646 be awarded to Wyndham House Incorporated from the Affordable Housing Reserve (#119) for the Youth Supportive Housing Program at 51 Bellevue Street.
4. That to the satisfaction and authority of the City Solicitor and Deputy Chief Administration Officer of Public Services, the necessary agreements be entered into and executed with Wyndham House Incorporated to fund, outline, and monitor project criteria for the Youth Supportive Housing program at 51 Bellevue Street.

7.2 Bell Fibre Expansion Agreement - 2021-317

1. That Council authorize the appropriate Deputy Chief Administrative Officer and/or City Engineer to negotiate and execute one or more agreements with Bell Canada for the express purpose of increasing capacity relating to Municipal Consents, Street Occupancy Permits, locates and other utility-related works in connection with the proposed fibre overlay project.
2. That the agreement be for a term of no longer than 3 years related to the proposed fibre overlay project to the satisfaction of the City Solicitor.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

8. Items for Discussion

8.1 Real Estate Assets Update - 2021-277

The following delegates spoke on the item:

John Fisher

Patti Broughton

Motion

Moved By Councillor Goller

Seconded By Councillor Caron

1. That the City proceed with preparing an open proposal to solicit uses for the property at 72 Farquhar Street in conjunction with finalizing the stabilization of the property.
2. That upon completion of the stabilization, the Drill Hall shall be secured as is until a suitable community use is found.
3. That staff proceed to stabilize 341 Forestell Road and Carter Farm over the next two years.
4. That staff report back to City Council in Q4 2022 to provide an update on the remaining listed properties of interest.
5. That staff initiate an Expression of Interest process for the Carter Farm property in Q1 of 2022.

Motion

Moved By Councillor Caron

Seconded By Councillor Hofland

That Clause 5, being "that staff initiate an Expression of Interest process for the Carter Farm property in Q1 of 2022", be deferred to a future meeting of Council in Q1 of 2022 in order to appropriately scope and cost the Expression of Interest process for the Carter Farm property

Councillor MacKinnon raised a Point of Order. Councillor MacKinnon noted that the motion was a deferral and, as per Council's Procedure By-law, there is no discussion or debate permitted on deferral motions.

Mayor Guthrie ruled that Councillor MacKinnon was correct and called the vote.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor O'Rourke, and Councillor Salisbury

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

Carried (11 to 2)

Motion as Amended

Moved By Councillor Goller

Seconded By Councillor Caron

1. That the City proceed with preparing an open proposal to solicit uses for the property at 72 Farquhar Street in conjunction with finalizing the stabilization of the property.
2. That upon completion of the stabilization, the Drill Hall shall be secured as is until a suitable community use is found.
3. That staff proceed to stabilize 341 Forestell Road and Carter Farm over the next two years.
4. That staff report back to City Council in Q4 2022 to provide an update on the remaining listed properties of interest.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

8.2 Environmental Policies Update - 2021-281

The following delegate spoke on the item:

Morgan Dandie-Hannah

Moved By Councillor Bell

Seconded By Councillor O'Rourke

1. That the Leak Forgiveness Credit Policy as recommended through report titled Environmental Policies Update dated October 4, 2021 be approved.
2. That the Sewer Abatement Credit Policy as recommended through report titled Environmental Policies Update dated October 4, 2021 be approved.
3. That the General Manager, Environmental Services be delegated authority to amend the procedures attached to the Leak Forgiveness Credit Policy and the Sewer Abatement Credit Policy as Appendix-1.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

8.3 Public Petitions Policy - 2021-279

Moved By Councillor MacKinnon

Seconded By Councillor O'Rourke

1. That the Public Petitions Policy, included as Attachment-1 to the Public Petitions Policy report dated October 4, 2021, be approved, as amended, to require that a petition pulled from the Information Items is placed on an agenda in the form of a referral to staff.
2. That the Procedural By-law be amended as follows: Insert Section 13.2 (d): Members of City Council may request a petition from the Information Items be placed on the appropriate Committee of the Whole or City Council agenda in the form of a referral to staff for an analysis of the petition request.
3. That staff be directed to bring forward an amended Procedural By-law to the November 22, 2021 City Council meeting.

Councillor Caron raised a Point of Privilege regarding comments made about the actions of Council.

Mayor Guthrie asked Councillor MacKinnon to clarify their comments.

Councillor MacKinnon acknowledged the comments and provided clarity on the intent of his comments to satisfy the Point of Privilege.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

8.4 Council Appointment to Downtown Guelph Board of Management, Board of Directors - 2021-304

Moved By Councillor Hofland

Seconded By Councillor Gibson

1. That Councillor Dan Gibson's appointment to the Downtown Guelph Business Association Board of Management, Board of Directors be revoked.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Moved By Councillor Goller

Seconded By Councillor MacKinnon

That section 1 of a By-law to amend section 6.2 of the City's Downtown Business Improvement Area Board of Management By-law, being By-law Number (2014)-19694 be amended as follows:

1. That By-law number (2014)-19694 is hereby amended by deleting section 6.2(a)(i) and inserting section 6.2(a)(i) below:

6.2 The Board of Management shall consist of twelve (12) directors as follows:

1. Four directors appointed by Council as follows,
 1. (i) Two members of Council, being:
 1. one councillor representing Wards one, two or three; and
 2. one councillor representing Wards four, five or six; or
 3. the Mayor, as an alternate, to one of the above councillor appointments.

Councillor Allt raised a Point of Privilege. Councillor Allt asked that Councillor Gibson retract his comments regarding the Mayor being a member of Council.

Mayor Guthrie asked Councillor Gibson to acknowledge Councillor Allt's Point of Privilege.

Mayor Guthrie asked that Council continue with their discussion.

The motion was withdrawn by Councillor Goller as the mover and Councillor MacKinnon as the seconder.

Moved By Councillor Goller

Seconded By Councillor MacKinnon

2. That Council approve a By-law to amend section 6.2 of the City's Downtown Business Improvement Area Board of Management By-law, being By-law Number (2014)-19694.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Moved By Councillor Hofland
Seconded By Councillor Gordon

3. That Councillor Goller be appointed to the Downtown Guelph Business Association Board of Management, Board of Directors for a term ending November 15, 2022.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Moved By Councillor Goller
Seconded By Councillor MacKinnon

1. That Economic Development and Tourism staff, in consultation with the City Solicitor, the City Clerk and City Treasurer, be directed to report back to Council in December 2021 with a report outlining a process to review the governance, operations and mandate/terms of the Downtown Business Improvement Area and information on a process to poll/survey the Downtown Business Improvement Area membership regarding a possible dissolution of the Downtown Business Improvement Area.

The motion was withdrawn by Councillor Goller as the mover and Councillor MacKinnon as the seconder.

Moved By Councillor Goller
Seconded By Councillor MacKinnon

1. That Economic Development and Tourism staff, in consultation with the City Solicitor, the City Clerk and City Treasurer, be directed to

report back to Council in December 2021 with a report outlining a process to review the governance, operations and mandate/terms of the Downtown Business Improvement Area.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

9. By-laws

Moved By Councillor Caron
Seconded By Councillor Gordon

That by-laws numbered (2021)-20638 and (2021)-20640 are hereby passed.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

10. Mayor's Announcements

Councillor Caron announced that there will be a Ward 5 Town Hall Wednesday October 27, 2021. Information about the meeting can be found on their website ward5.ca

11. Adjournment

Moved By Councillor Billings
Seconded By Councillor Allt

That the meeting be adjourned (9:34 p.m.).

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Mayor Guthrie

Stephen O'Brien - City Clerk