



Minutes of Guelph City Council

September 14, 2022, 5:30 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 R. Goller
 - Councillor J. Gordon
 - Councillor J. Hofland
 - Councillor M. MacKinnon
 - Councillor D. O'Rourke
- Absent:**
- Councillor D. Gibson
 - 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
 - M. Ellis, General Manager, Human Resources
 - J. Rose, General Manager, Environmental Services
 - C. Walsh, Division Manager, Solid Waste Resources
 - H. Connell, Manager, Business and Technical Services
 - N. Davison, Waste Resource Policy Analyst, Solid Waste Services
 - R. Reid, Project Manager, Solid Waste Services
 - S. O'Brien, General Manager, City Clerk's Office/City Clerk
 - D. McMahon, Manager, Legislative Services/Deputy Clerk

2. Call to Order

Mayor Guthrie called the meeting to order. (5:38 p.m.)

3. Authority to move into closed meeting

Moved By Councillor Hofland
Seconded By Councillor Gordon

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239(2)(b) and (d) of the Municipal Act, related to personal matters about an identifiable individual, including municipal or local board employees, and labour relations or employee negotiations.

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

Carried (11 to 0)

The following items were considered:

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

3.2 Confirmation of Minutes for the closed Council and Committee of the Whole meetings held June 27, and July 4 and 18, 2022.

3.3 2022 Chief Administrative Officer Performance Evaluation

3.4 Blue Box Transition Update - 2022-289

4. Open Meeting – 6:30 p.m.

Mayor Guthrie called the meeting to order. (6:31 p.m.)

4.1 Closed Meeting Summary

Mayor Guthrie spoke regarding the matter discussed in closed session and identified the following:

3.4 Blue Box Transition Update - 2022-289

Mayor Guthrie indicated that Council only received information about this item.

3.3 2022 Chief Administrative Officer Performance Evaluation

Mayor Guthrie advised that Council received information and Council will report on this matter as part of the next item.

5. Special Resolution

5.1 2022 Chief Administrative Officer Performance Evaluation

Moved By Councillor MacKinnon

Seconded By Councillor Hofland

That the Chief Administrative Officer 2022 performance evaluation as presented in the Closed Council session held on September 14, 2022 be approved.

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

Carried (11 to 0)

6. Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

7. Staff Recognitions

Mayor Guthrie presented the following recognitions:

7.1 The Action Canada Fellowship

Leslie Muñoz, Manager, Policy and Intergovernmental Relations

7.2 Ontario Water Works Association's Water Efficiency Committee's 2022 Award of Excellence for the City of Guelph's Water Loss Management Strategy

City of Guelph:

Heather Yates, Supervisor, Environmental Programs

Nathan Siniowski, Supervisor, Water Treatment and Maintenance

Tara Roumeliotis, Acting Manager, Technical Services (Water)

Dave Belanger, Senior Hydrogeologist, Environmental Services

AECOM Canada Ltd:

Matt Alexander

Richard Hope

7.3 Water Canada 2022 Water's Next Awards in the Water Resources category - City of Guelph and AECOM Canada Ltd.

City of Guelph:

Wayne Galliher, Division Manager, Water Services

Scott Cousins, Hydrogeologist, Environmental Services

Emily Stahl, Manager, Technical Services (Water)

Albanie Douglas, Hydrogeologist, Environmental Services

Dave Belanger, Senior Hydrogeologist, Environmental Services

AECOM Canada Ltd:

Matt Alexander

8. Confirmation of Open Minutes

Moved By Councillor Hofland

Seconded By Councillor Caron

That the minutes of the open Council and Committee of the Whole Meetings held June 13, 20, 27, and July 4, 11, 13, 18, 2022, be confirmed as recorded and without being read.

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

Carried (11 to 0)

9. Council Consent Agenda

9.1 Blue Box Transition Update - 2022-290

Moved By Councillor Hofland

Seconded By Councillor Billings

1. That the City of Guelph does not pursue Circular Materials Ontario's current (as of July 4, 2022) interim contract to perform residence and facility collection of Blue Box materials on Circular Materials Ontario's behalf from January 1, 2025 to December 31, 2025;

2. That the City does not pursue Circular Materials Ontario's Request for Proposals 2022-03 for receiving facilities;
3. That the City does not pursue Circular Materials Ontario's upcoming Request for Proposals for residence and facility collection;
4. That the City does not pursue Circular Materials Ontario's upcoming Requests for Proposals for post-collection facilities;
5. That staff be authorized to negotiate and execute agreements with Producer Responsibility Organizations for other scopes of work related to Blue Box services, if required, to ensure continuity of services to residents, and within existing budget, in each case to the satisfaction of the Deputy Chief Administrative Officer of Infrastructure, Development and Enterprise Services and the City Solicitor.

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

Carried (11 to 0)

10. Items for Discussion

10.1 Single-Use Items Update - 2022-288

The following delegate spoke to this item:
Lorelei Root, Chair, Accessibility Advisory Committee

Moved By Councillor Goller
Seconded By Councillor Hofland

1. That Council approve Phase 1 of the updated Single-Use Items Reduction Strategy as presented in the Solid Waste Management Master Plan Recommendations staff report on April 4, 2022, with changes that align with the Government of Canada's recently released Single-Use Plastics Prohibition Regulations and the proposed new Single-Use Items By-law (2022) - 20701.

First Amendment

Moved By Councillor Goller
Seconded By Councillor Downer

That the following recommendations brought forward by the Accessibility Advisory Committee be approved:

1. The City continue to work with closely the AAC on solutions as this legislation develops.
2. The city work with subject matter experts to develop an education component to combat stigma for the Guelph community at large as well as local businesses and their employees, which includes:
 - a. Information that the use of single-use plastic straws is still permitted in certain circumstances. For example:
 - i. a person is not prevented from bringing single-use plastic straws with them to a restaurant and providing them to others in a family or social group.
 - ii. people may be seen in a public setting using a single-use plastic straw however it may not be obvious that a person needs that straw. We would like to limit insensitive and damaging encounters for those individuals.
 - b. Information on the importance of sensitivity training for employees and businesses that focuses on the use of respectful, inclusive communication and not requiring a person to disclose any information if using a single-use plastic straw.
3. That Council consider a by-law that:
 - a. Includes information on the importance of alternative bags (including paper bags) that have two reinforced handles, similar to the plastic bags that are included in the ban.
 - b. Requires businesses to provide alternative bags that have two reinforced handles, for the accessibility reasons I listed earlier.
4. That the City develop a program that:
 - a. Offers free or subsidized single use plastic flexible straws to those who need them in order to offset the costs for people with disabilities who will need to purchase these single use plastic straws independently.
5. The City write a letter to the Federal Government that:

- a. Speaks to the important of certain single use plastic items for people with disabilities
- b. Urges reconsideration for SUP straws to be exempt from restaurants so that they can still be available for and provided to customers.

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

Carried (11 to 0)

Amendment to the First Amendment

Moved By Councillor O'Rourke

Seconded By Councillor Caron

4. That the City **explore the development** a program that:

- a. Offers free or subsidized single use plastic flexible straws to those who need them in order to offset the costs for people with disabilities who will need to purchase these single use plastic straws independently **and that staff report back to City Council by Q2, 2023.**

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

Carried (11 to 0)

Main Motion as Amended

Moved By Councillor Goller

Seconded By Councillor Hofland

1. That Council approve Phase 1 of the updated Single-Use Items Reduction Strategy as presented in the Solid Waste Management Master Plan Recommendations staff report on April 4, 2022, with changes that align with the Government of Canada's recently released Single-Use Plastics Prohibition Regulations and the proposed new Single-Use Items By-law (2022) - 20701.

2. That the following recommendations brought forward by the Accessibility Advisory Committee be approved:
 1. The City continue to work with closely the AAC on solutions as this legislation develops.
 2. The city work with subject matter experts to develop an education component to combat stigma for the Guelph community at large as well as local businesses and their employees, which includes:
 - a. Information that the use of single-use plastic straws is still permitted in certain circumstances. For example:
 - i. a person is not prevented from bringing single-use plastic straws with them to a restaurant and providing them to others in a family or social group.
 - ii. people may be seen in a public setting using a single-use plastic straw however it may not be obvious that a person needs that straw. We would like to limit insensitive and damaging encounters for those individuals.
 - b. Information on the importance of sensitivity training for employees and businesses that focuses on the use of respectful, inclusive communication and not requiring a person to disclose any information if using a single-use plastic straw.
 3. That Council consider a by-law that:
 - a. Includes information on the importance of alternative bags (including paper bags) that have two reinforced handles, similar to the plastic bags that are included in the ban.
 - b. Requires businesses to provide alternative bags that have two reinforced handles, for the accessibility reasons I listed earlier.
 4. That the City explore the development a program that:
 - a. Offers free or subsidized single use plastic flexible straws to those who need them in order to offset the costs for people with disabilities who will need to purchase these

single use plastic straws independently and that staff report back to City Council by Q2, 2023.

5. The City write a letter to the Federal Government that:
 - a. Speaks to the important of certain single use plastic items for people with disabilities.
 - b. Urges reconsideration for SUP straws to be exempt from restaurants so that they can still be available for and provided to customers.

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

Carried (11 to 0)

10.2 Town of Kingsville Resolution: Opposition to Bill 3, Strong Mayors, Building Homes Act, 2022

Councillor Gordon introduced the item and outlined changes proposed in Bill 3, Strong Mayors, Building Homes Act, 2022.

The following delegates spoke to this item:

Susan Watson
David Douglas
Tanya Gevaert
Danny Drew
Lin Grist
Ron East

Councillor Allt raised a point of order suggesting that Mayor Guthrie's comments are in contradiction to the Procedural By-law. Mayor Guthrie further explained his comments.

Moved By Councillor Gordon
Seconded By Councillor Caron

"WHEREAS the Government of Ontario, through the Minister of Municipal Affairs and Housing, has introduced Bill 3 which is described as "An Act to amend various statutes with respect to special powers and duties of heads of Council";

AND WHEREAS this Bill, if enacted, will initially apply to the City of Toronto and City of Ottawa, but will later be expanded to include other

municipalities according to a statement made by the Premier at the 2022 AMO annual conference;

AND WHEREAS this Bill, if enacted, will give Mayors additional authority and powers, and correspondingly take away authority and powers from Councils and professional staff, and will include giving the Mayor the authority to propose and adopt the Municipal budget and to veto some decisions of Council;

AND WHEREAS this Bill, if enacted, will give authority over professional staff to the Mayor, including that of the Chief Administrative Officer;

AND WHEREAS these changes will result in a reduction of independence for professional staff including the CAO, who currently provide objective information to the Council and public and will now take direction from the Mayor alone when the Mayor so directs;

AND WHEREAS these are surprising and unnecessary changes to the historical balance of power between a Mayor and Council, and which historically gave the final say in all matters to the will of the majority of the elected Council.

THEREFORE, Guelph City Council, passes this resolution to petition the Government of Ontario that:

1. These changes to the Municipal Act, 2001, are unnecessary and will negatively affect the City Of Guelph.
2. That while the Ontario Government has deemed these changes necessary in large single-tier municipalities such as Toronto and Ottawa, such changes should not be implemented in smaller municipalities.
3. That if the stated goal of this legislation is to construct more housing in Ontario that this can be accomplished through other means including amendment of the Planning Act and funding of more affordable housing.

Council further directs the Clerk to ensure that a copy of this resolution be provided to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the "Standing Committee on Heritage, Infrastructure and Cultural Policy", MPP Mike Schreiner, and the Association of Municipalities of Ontario.

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

Carried (11 to 0)

11. By-laws

Moved By Councillor Hofland
Seconded By Councillor Allt

That By-laws numbered (2022) - 20701, (2022) - 20702, (2022) - 20728, (2022) - 20738, (2022) - 20745, and (2022) - 20748, are hereby passed.

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

Carried (11 to 0)

12. Mayor's Announcements

Mayor Guthrie spoke about the proposed changes to Guelph's federal riding and asked members of the public to contact the constituency office of MP Lloyd Longfield if they wish to inquire about engagement opportunities.

Mayor Guthrie also thanked Councillors Hofland, Bell, Salisbury and Gordon for their work and contributions during the 2018-2022 City Council term.

13. Adjournment

Moved By Councillor Caron
Seconded By Councillor Downer

That the meeting be adjourned. (8:23 p.m.)

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

Carried (11 to 0)

Mayor Guthrie

Stephen O'Brien - City Clerk