



Minutes of Guelph City Council

**April 25, 2023, 6:00 p.m.
Council Chambers
Guelph City Hall, 1 Carden Street**

Council: Councillor P. Allt
Councillor C. Billings
Councillor L. Busuttil
Councillor L. Caron
Councillor E. Caton
Councillor K. Chew
Councillor C. Downer
Councillor D. Gibson
Councillor R. Goller
Councillor C. Klassen
Councillor D. O'Rourke
Councillor M. Richardson

Absent: Mayor C. Guthrie

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. McDonald, Manager, Transit Business Services
S. O'Brien, General Manager, City Clerk's Office/City Clerk
E. Barber, Board and Committee Coordinator
J. da Silva, Council and Committee Coordinator
G. Meades, Council and Committee Coordinator

1. Call to Order

Councillor Downer called the meeting to order. (6:19 p.m.)

1.1 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

2. Authority to move into closed meeting

Moved By Councillor Allt

Seconded By Councillor Gibson

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

Voting in Favour: (8): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, and Councillor O'Rourke

Carried (8 to 0)

The following items were considered:

2.1 Call to Order (closed meeting)

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

2.3 Confirmation of Minutes for the closed Council and Committee of the Whole meetings held November 12 and 13, 2022, February 7, 22, and 28, and March 7, 2023

2.4 April 2023 Appointments to Advisory Committees, Local Boards, Agencies, Commissions and Associations - 2023-131

3. Closed Meeting Summary

Chair Downer spoke regarding the matters discussed in closed session and identified the following:

April 2023 Appointments to Advisory Committees, Local Boards, Agencies, Commissions and Associations - 2023-131

A motion further to the discussion from closed will be brought forward as part of item 7.1 April 2023 Appointments to Advisory Committees, Local Boards, Agencies, Commissions and Associations - 2023-132.

4. Open Meeting – 6:30 p.m.

Councillor Downer called the meeting to order. (6:30 p.m.)

4.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

5. Confirmation of Open Minutes

Moved By Councillor Allt

Seconded By Councillor Klassen

That the minutes of the open Council meetings held March 21, 22, 28 and 29, 2023, and the open Committee of the Whole meeting held March 7, 2023, be confirmed as recorded and without being read.

6. Committee of the Whole Consent Report

Moved By Councillor Caron

Seconded By Councillor O'Rourke

That the April 25, 2023 Committee of the Whole Consent Report identified below, be adopted:

6.1 Delegation of Authority By-law Update - 2023-115

1. That the revised Delegation of Authority By-law, included as Attachment-1 to the Updated Delegation of Authority and Document Execution By-laws report, dated April 4, 2023, be approved and that the Delegation of Authority By-law Number (2013)-19529 and Execution of Documents By-law Number (2013)-19635 be repealed.

6.2 Water and Wastewater Servicing Master Plan - 2023-99

1. That the Water and Wastewater Servicing Master Plan be approved, and that staff be directed to file a Municipal Class Environmental Assessment Notice of Completion.
2. That the financial information from the Water and Wastewater Servicing Master Plan be referred to the City's water and wastewater rate models and long-range financial plans through the multi-year budget process.

6.3 Stormwater Management Master Plan - 2023-98

1. That the Stormwater Management Master Plan be approved and that staff be directed to file a Municipal Class Environmental Assessment Notice of Completion.

2. That the financial implications from the Stormwater Management Master Plan be referred to the City's multi-year budget process.

6.4 2022 Water Services Annual Report and Summary Report - 2023-122

1. That Guelph City Council approve the 2022 Water Services' Annual Report and Summary Report.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttill, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

7. Council Consent Agenda

7.1 April 2023 Appointments to Advisory Committees, Local Boards, Agencies, Commissions and Associations - 2023-132

Moved By Councillor Allt

Seconded By Councillor Klassen

1. That Richard Pyke and Russell Speers be appointed to the Committee of Adjustment for a term ending November 2026 or until such time as successors are appointed.
2. That Madeleine Krucker be appointed to the Guelph Museums Advisory Committee for a term ending April 2024 or until such time as a successor is appointed.
3. That Maria Finoro, Justin Luth, and Morgan Boyco be appointed to the Planning Advisory Committee for a term ending April 2024 or until such time as successors are appointed.
4. That Justine Garner and Naeem Mir be appointed to The Elliott Community Board of Trustees for a three-year term ending November 2026 or until such time as successors are appointed.
5. That Damien Smith and Kevin McIntosh be appointed to the Tourism Advisory Committee for a term ending April 2024 or until such time as successors are appointed.

6. That Karishma Rego be appointed to the Water Conservation and Efficiency Public Advisory Committee for a term ending April 2024 or until such time as a successor is appointed.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

Moved By Councillor Billings
Seconded By Councillor Klassen

1. That Advisory Committees of Council member recruitments and appointments be paused until the approval of the Advisory Committees of Council Governance Framework in Q4 2023, excluding recruitments required to ensure quorum can be maintained.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

8. Items for Discussion

8.1 Transit Fare Strategy - 2023-102

The following delegates spoke on this item:

Nelson Chukwuma

Meet Upadhyay

Adam Donaldson

Steven Petric

Main Motion

Moved By Councillor O'Rourke

Seconded By Councillor Allt

1. That the Kids Ride Free program (children aged 12 and under) outlined in Attachment 1, Section 6.3.2 to report "Transit Fare Strategy" dated April 4, 2023, be made permanent and that the budget impacts as outlined in report "Transit Fare Strategy"

dated April 4, 2023, be included in the 2024-2027 Multi-year Budget.

2. That the Fare Capping Loyalty program, outlined in Attachment 1, Section 6.3.1 to report "Transit Fare Strategy" dated April 4, 2023, be approved and that the budget impacts as outlined in report "Transit Fare Strategy" dated April 4, 2023, be included in the 2024-2027 Multi-year Budget.
3. That staff be delegated the authority to proceed with the remaining initiatives recommended in Attachment 1 to report "Transit Fare Strategy" dated April 4, 2023.

Councillor Allt raised a point of order requesting that the clauses of the motion be voted separately. Chair Downer acknowledged the request.

Councillor Gibson raised a point of order asking for other motions from Council regarding this item to be tabled as amendments instead of separate motions. Chair Downer asked staff for advice.

Councillor Allt raised a point of order asking for clarification on the motion. Chair Downer allowed Councillor Caton to explain the intent of their motion.

First Clause of the Main Motion

Moved By Councillor O'Rourke

Seconded By Councillor Allt

1. That the Kids Ride Free program (children aged 12 and under) outlined in Attachment 1, Section 6.3.2 to report "Transit Fare Strategy" dated April 4, 2023, be made permanent and that the budget impacts as outlined in report "Transit Fare Strategy" dated April 4, 2023, be included in the 2024-2027 Multi-year Budget.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

Second Clause of the Main Motion

Moved By Councillor O'Rourke

Seconded By Councillor Allt

2. That the Fare Capping Loyalty program, outlined in Attachment 1, Section 6.3.1 to report "Transit Fare Strategy" dated April 4, 2023, be approved and that the budget impacts as outlined in report "Transit Fare Strategy" dated April 4, 2023, be included in the 2024-2027 Multi-year Budget.

First Amendment to the Second Clause of the Main Motion

Moved By Councillor Caton

Seconded By Councillor Goller

2. That the Fare Capping Loyalty program be approved with a monthly fare cap set at 32 rides in 2023-2024, 33 rides in 2025 and 34 rides in 2026 and then be maintained at this monthly cap and that ticket prices continue to increase as set in Table 19 of Attachment-1 to the report entitled "Transit Fare Strategy," dated April 4, 2023, and further that staff be directed to manage the estimated financial impact of \$19,900 in 2023 related to this change through operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.

Amendment to the First Amendment of the Second Clause of the Main Motion

Moved By Councillor Goller

Seconded By Councillor Busuttill

2. That the Fare Capping Loyalty program be approved with a monthly fare cap set at 28 rides in 2023-2024, 30 rides in 2025 and 32 rides in 2026 and 34 rides in 2027 then be maintained at this monthly cap and that ticket prices continue to increase as set in Table 19 of Attachment-1 to the report entitled "Transit Fare Strategy," dated April 4, 2023, and further that staff be directed to manage the estimated financial impact in 2023 related to this change through operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.

Voting in Favour: (1): Councillor Goller

Voting Against: (11): Councillor Allt, Councillor Billings, Councillor Busuttill, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Defeated (1 to 11)

First Amendment to the Second Clause of the Main Motion

Moved By Councillor Caton

Seconded By Councillor Goller

2. That the Fare Capping Loyalty program be approved with a monthly fare cap set at 32 rides in 2023-2024, 33 rides in 2025 and 34 rides in 2026 and then be maintained at this monthly cap and that ticket prices continue to increase as set in Table 19 of Attachment-1 to the report entitled "Transit Fare Strategy," dated April 4, 2023, and further that staff be directed to manage the estimated financial impact of \$19,900 in 2023 related to this change through operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

Council Caron raised a point of order regarding Councillor Allt's comments about the staff recommendation.

Councillor Allt raised a point of privilege clarifying previous comments. Chair Downer acknowledged his clarification.

Second Clause of the Main Motion as Amended

Moved By Councillor O'Rourke

Seconded By Councillor Allt

2. That the Fare Capping Loyalty program be approved with a monthly fare cap set at 32 rides in 2023-2024, 33 rides in 2025 and 34 rides in 2026 and then be maintained at this monthly cap and that ticket prices continue to increase as set in Table 19 of Attachment-1 to the report entitled "Transit Fare Strategy," dated April 4, 2023, and further that staff be directed to manage the estimated financial impact of \$19,900 in 2023 related to this change through operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

First Amendment to the Third Clause of the Main Motion

Moved By Councillor Caton

Seconded By Councillor Allt

3. **And, as it relates directly to transfer times**, that the fare transfer time, as outlined in Section 4.2.3 of Attachment-1 of the Transit Fare Strategy report dated April 4, 2023, be amended to extend the permitted transfer time to 90 minutes and that staff be directed to manage the estimated financial impact of \$10,000 in 2023 related to this change through the operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

Third Clause of the Main Motion as Amended

Moved By Councillor O'Rourke

Seconded By Councillor Allt

3. That staff be delegated the authority to proceed with the remaining initiatives recommended in Attachment 1 to report "Transit Fare Strategy" dated April 4, 2023 and, as it relates directly to transfer times, that the fare transfer time, as outlined in Section 4.2.3 of Attachment-1 of the Transit Fare Strategy report dated April 4, 2023, be amended to extend the permitted transfer time to 90 minutes and that staff be directed to manage the estimated financial impact of \$10,000 in 2023 related to this change through the operating variance and be further directed to refer related 2024 to 2027 costs to the

upcoming multi-year budgeting process and deliberations of Council.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

Motions as Carried

1. That the Kids Ride Free program (children aged 12 and under) outlined in Attachment 1, Section 6.3.2 to report "Transit Fare Strategy" dated April 4, 2023, be made permanent and that the budget impacts as outlined in report "Transit Fare Strategy" dated April 4, 2023, be included in the 2024-2027 Multi-year Budget.
2. That the Fare Capping Loyalty program be approved with a monthly fare cap set at 32 rides in 2023-2024, 33 rides in 2025 and 34 rides in 2026 and then be maintained at this monthly cap and that ticket prices continue to increase as set in Table 19 of Attachment-1 to the report entitled "Transit Fare Strategy," dated April 4, 2023, and further that staff be directed to manage the estimated financial impact of \$19,900 in 2023 related to this change through operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.
3. That staff be delegated the authority to proceed with the remaining initiatives recommended in Attachment 1 to report "Transit Fare Strategy" dated April 4, 2023 and, as it relates directly to transfer times, that the fare transfer time, as outlined in Section 4.2.3 of Attachment-1 of the Transit Fare Strategy report dated April 4, 2023, be amended to extend the permitted transfer time to 90 minutes and that staff be directed to manage the estimated financial impact of \$10,000 in 2023 related to this change through the operating variance and be further directed to refer related 2024 to 2027 costs to the upcoming multi-year budgeting process and deliberations of Council.

8.2 Municipal Code of Conduct and Support of Bill 5, Stopping Harassment and Abuse by Local Leaders Act

Councillor O'Rourke introduced the item and spoke to the recommendation.

Moved By Councillor O'Rourke
Seconded By Councillor Richardson

1. That the City of Guelph support the Association of Municipalities of Ontario's call for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments, and further, support Bill 5, the Stopping Harassment and Abuse by Local Leaders Act.

That the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- a. Updating municipal Codes of Conduct to account for workplace safety and harassment;
- b. Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario;
- c. Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province;
- d. Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner; and,
- e. Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

9. By-laws

Moved By Councillor Richardson
Seconded By Councillor Allt

That By-laws numbered (2023)-20794 through (2023)-20796, are hereby passed.

Voting in Favour: (12): Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (12 to 0)

11. Adjournment

Moved By Councillor Allt
Seconded By Councillor Klassen

That the meeting be adjourned. (8:05 p.m.)

Carried

Mayor Guthrie

Stephen O'Brien - City Clerk