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General Government Committee

Minutes

Date: February 18, 2020
Time: 9:30 AM
Location: Council Chambers, 2nd Floor
Municipal Administrative Centre
40 Temperance Street
Bowmanville, Ontario

Present Were: Mayor A. Foster, Councillor G. Anderson, Councillor R. Hooper, Councillor J. Jones, Councillor J. Neal, Councillor C. Traill, Councillor M. Zwart

Staff Present: A. Allison, G. Acorn, R. Maciver, M. Marano, T. Pinn, G. Weir, A. Greentree, J. Gallagher, S. Gray, S. Brake, R. Albright

1. Call to Order

Mayor Foster called the meeting to order at 9:30 AM.

2. Land Acknowledgement Statement

Councillor Jones led the meeting in the Land Acknowledgement Statement.

3. New Business – Introduction

Councillor Neal asked that a new business item, regarding Plastic Cups, be added to the New Business – Consideration section of the agenda.

Councillor Neal asked that a new business item, regarding 2019 Budget Actuals, be added to the New Business – Consideration section of the agenda.

Councillor Neal asked that a new business item, regarding Councillor's Boardroom, be added to the New Business – Consideration section of the agenda.

Councillor Neal asked that a new business item, regarding CAO Review Committee, be added to the New Business – Consideration section of the agenda.

Councillor Neal asked that a new business item, regarding Fill, be added to the New Business – Consideration section of the agenda.

Councillor Neal stated it was a point of privilege claiming he was being badgered about resolutions.

Mayor Foster ruled it Out of Order.

Recess

Resolution # GG-071-20
Moved by Councillor Jones
Seconded by Councillor Anderson

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 9:45 AM with Mayor Foster in the Chair.

4. Adopt the Agenda

Councillor Traill joined the meeting at 9:47 am.

Suspend the Rules

Resolution # GG-072-20
Moved by Councillor Jones
Seconded by Councillor Zwart

That the Rules of Procedure be suspended to add the Delegation of Edgar Lucas, Bowmanville BIA, to the Agenda.

Carried

Resolution # GG-073-20
Moved by Councillor Jones
Seconded by Councillor Zwart

That the Agenda for the General Government Committee meeting of February 18, 2020 be adopted with the addition of the following items:

- Plastic Cups
- 2019 Budget Actuals
- Councillor's Boardroom
- CAO Review Committee
- Fill

Carried

5. Declaration of Interest

Councillor Hooper declared a direct interest in Item 8.1, delegation from Edgar Lucas, regarding Parking in Downtown Bowmanville.

6. Announcements

Members of Committee announced upcoming community events and matters of community interest.

7. Adoption of Minutes of Previous Meeting

7.1 Minutes of a Regular Meeting of January 27, 2020

Resolution # GG-074-20
Moved by Councillor Zwart
Seconded by Councillor Traill

That the minutes of the regular meeting of the General Government Committee meeting held on January 27, 2020, be approved, with the following amendment:

That the declaration of interest by Councillor Jones be changed from "direct" to "indirect".

Carried

8. Delegations

8.1 Edgar Lucas, Bowmanville BIA, Regarding Parking in Downtown Bowmanville

Councillor Hooper declared a direct interest in Item 8.1, delegation from Edgar Lucas, regarding Parking in Downtown Bowmanville as it relates to his family business. Councillor Hooper left the meeting and refrained from discussion and voting on this matter.

Edgar Lucas, Bowmanville BIA, was present regarding parking in Downtown Bowmanville. He explained that there are 81 building owners and over 150 merchants in Downtown Bowmanville, all requiring parking spots. Mr. Lucas stated that there is a problem with parking in downtown and not enough parking spaces to accommodate the amount of people. He noted that, in 32 years, only 40 spots have been added. Mr. Lucas mentioned that, with the additional bump outs, crosswalks, and summer patios they have actually lost parking spots. He requested that the two hour free parking be removed, that the Municipality no longer bag meters at Christmas and that the Municipality increase the amount for paid parking.

Resolution # GG-075-20
Moved by Councillor Traill
Seconded by Councillor Zwart

That the delegation of Edgar Lucas, Bowmanville BIA, regarding parking in downtown Bowmanville, be referred to the CAO's Office to report back on:

- No longer offering free parking downtown Bowmanville at Christmas;
- Increasing the parking meter fees;

- Removing the two hour free parking in municipal lots; and
- Investigate the possible parking garage in downtown Bowmanville

That the Bowmanville BIA be consulted regarding same.

Carried

Amendment:

Resolution # GG-076-20
Moved by Councillor Neal
Seconded by Councillor Jones

That the foregoing Resolution #GG-075-20 be amended by adding the following at the end:

That staff investigate limiting on street parking to one hour.

Motion Lost, Later in the Meeting

Resolution # GG-077-20
Moved by Councillor Anderson
Seconded by Councillor Traill

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing resolution GG-076-20 for a second time.

Carried

Resolution # GG-078-20
Moved by Councillor Neal
Seconded by Councillor Traill

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing resolution GG-075-20 for a second time.

Carried

The foregoing Resolution #GG-075-20 was then put to a vote and carried.

Councillor Hooper returned to the meeting.

Recess

Resolution # GG-079-20
Moved by Councillor Traill
Seconded by Councillor Zwart

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 11:02 AM with Mayor Foster in the Chair.

9. Communications – Receive for Information

Resolution # GG-080-20
Moved by Councillor Anderson
Seconded by Councillor Jones

That Communication Items 9.1 and 9.2, be received on consent.

Carried

9.1 Minutes of the Orono Business Improvement Area dated January 16, 2020

9.2 Susan Cassel, City Clerk, City of Pickering, Regarding Decommissioning of the Pickering Nuclear Generating Station

10. Communications – Direction

10.1 Dianne Gould-Brown, City Clerk, City of Sarnia, Regarding Ontario Power Generation's Deep Geologic Repository Project

Resolution # GG-081-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That Communication Item 10.1, be received for information.

Carried

10.2 Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, Regarding Durham Region Climate Change Emergency Declaration

Resolution # GG-082-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Communication Item 10.2 be referred to the consideration of Communication Item 10.3.

Carried

10.3 David Crome, Regarding Declaration of Climate Emergency

Resolution # GG-083-20
Moved by Councillor Zwart
Seconded by Councillor Traill

Whereas residents of Clarington have experienced the results of climate change through flooding, high lake levels, ice storms, invasive species, severe weather fluctuations and increase wind events;

Whereas Municipal governments currently have direct or indirect control over approximately 44 per cent of GHG emissions in Canada and therefore have a crucial role to play in responding to the threat of climate change through policies, programs and capital investments that reduce greenhouse gas emission (GHG) and improve the adaptive capacity to extreme weather events;

Whereas the Region of Durham and area municipalities including Pickering, Ajax and Whitby have acknowledged the role of municipalities in responding to climate change by declaring a climate emergency and are taking decisive action to adapt to and mitigate climate change; and

Whereas, the Municipality of Clarington is taking action to implement climate change mitigation and adaptation actions that are within our control through energy conservation and demand management planning and the development of the Clarington Climate Action Plan;

Now therefore be it resolved:

That the Municipality of Clarington declare a climate emergency for the purposes of naming, framing and deepening our commitment to protecting our economy, ecosystems and community from climate change;

That in response to this emergency declaration, the need to reduce overall GHG emissions in the Municipality of Clarington and to continue to prepare for the potential impacts of climate change be prioritized in all Municipal business decisions;

That by declaring a climate emergency the Municipality of Clarington joins more than 400 Canadian municipalities and 1300 local governments in 25 countries in committing to respond to climate change by reducing GHG emissions;

That the Mayor, on behalf of Council, be directed to forward this resolution to the Right Honorable Justin Trudeau, Prime Minister of Canada, with the request that the Federal Government dedicate funding to develop and fund programs that assist residents, businesses and municipalities to reduce GHG emissions and adapt to climate change;

That the Mayor, on behalf of Council, be directed to forward this resolution to the Honourable Doug Ford, Premier of Ontario, with the request that the Government of Ontario dedicate funding to develop and fund programs that assist residents, businesses and municipalities to reduce GHG emissions and adapt to climate change; and

That the Clerk be directed to circulate this resolution to the Region of Durham, Durham Region area municipalities, the Honourable Erin O'Toole, MP (Durham), Honourable Philip Lawrence MP (Northumberland-Peterborough South), Lindsey Park, MPP (Durham), David Piccini, MPP (Northumberland-Peterborough South).

Yes (5): Mayor Foster, Councillor Anderson, Councillor Hooper, Councillor Traill, and Councillor Zwart

No (2): Councillor Jones, and Councillor Neal

Carried on a recorded vote (5 to 2)

Resolution # GG-084-20

Moved by Councillor Neal

Seconded by Councillor Traill

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing resolution for a second time.

Carried

10.4 Sarah Delicate, Regarding MP Derek Sloane's Letter Regarding the Potential for Severe Flooding

Resolution # GG-085-20

Moved by Councillor Anderson

Seconded by Councillor Hooper

That the concerns expressed in Sarah Delicate's correspondence, containing MP Derek Sloane's correspondence regarding Potential for Severe Flooding, be endorsed in principle and a similar letter be forwarded to the Prime Minister.

Carried

10.5 Douglas B. MacCheyne, Royal Canadian Branch 178, Regarding Request to Sponsor Veterans Banner Program

Resolution # GG-086-20

Moved by Councillor Hooper

Seconded by Councillor Jones

That Communication Item 10.5 be referred to the consideration of the Budget on February 24, 2020.

Carried

10.6 Kevin Narraway, Manager of Legislative Services/Deputy Clerk, Town of Whitby, Regarding Expanded Paid Parking at GO Commuter Rail Stations

Resolution # GG-087-20

Moved by Councillor Hooper

Seconded by Councillor Zwart

That Communication Item 10.6, be referred to staff for an appropriate motion.

Carried

10.7 Peggy Johnson, Secretary Treasurer, Rainy River District Municipal Association, Regarding Fair and Equitable Property Taxation Revenue on Railway Right-of-Ways Collected by Municipalities in Ontario

Resolution # GG-088-20

Moved by Councillor Neal

Seconded by Councillor Anderson

That the following resolution from Rainy River District Municipal Association, regarding Fair and Equitable Property Taxation Revenue on Railway Right-of-Ways Collected by Municipalities in Ontario, be endorsed by the Municipality of Clarington:

Whereas in 2018 the Province of Ontario adjusted the tax rate for acreage for railway right-a-ways throughout Ontario which specifically impacted Rainy River, Kenora and Thunder Bay districts in a positive fashion; and

Whereas in other provinces and jurisdictions the railway companies remit a more equitable share of taxes to their local tax base by using a per tonne-mile concept; and

Whereas rail traffic continues to increase and the train length has more than doubled, which results in rail traffic congestion, increased wait times, noise pollution and unknown environmental concerns; and WHEREAS the Province of Ontario should review fees based on inflation and current conditions on an annual basis to ensure that Ontario does not continue to fall further behind in their approach to railway property taxation; and

Whereas fair and equitable taxation revenue on railway property will reduce the financial pressure on the Province to provide financial support to municipalities going forward;

Therefore be it resolved that the Rainy River District Municipal Association call upon the Minister of Finance of the Province of Ontario to undertake ongoing consideration of municipal taxation for railroad right-of-way properties based on a per tonne-mile concept; and

Further be it resolved that the Rainy River District Municipal Association send this resolution to every Municipal Council within the Province of Ontario seeking their support, the Premier of Ontario, the Minister of Finance of Ontario, Local MPPs, Local MPs, NOMA, ROMA AND AMO.

Carried

11. Presentations

12. Engineering Services Department Reports

Councillor Anderson chaired this portion of the meeting.

12.1 EGD-001-20 Building Activity Update January 1 to December 31, 2019

Mayor Foster left the meeting at 11:32 am.

Resolution # GG-089-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That Report EGD-001-20 be received for information.

Carried

12.2 EGD-002-20 Hancock Road Servicing at Baseline Road - Certificate of Acceptance and Assumption By-Law

Resolution # GG-090-20
Moved by Councillor Zwart
Seconded by Councillor Neal

That Report EGD-002-20 be received;

That the Acting Director of Engineering Services be authorized to issue a 'Certificate of Acceptance' for the Final Works, which includes final stage roads and other related works constructed within Plan SPA 2006-0033;

That Council approve the by-law attached to Report EGD-002-20 assuming certain streets within Plan SPA 2006-0033 as public highways; and

That all interested parties listed in Report EGD-002-20 be advised of Council's decision.

Carried

12.3 EGD-003-20 Farewell Creek Trail Phase 2 Ecological Gifts Program Update

Mayor Foster joined the meeting at 11:35 am.

Resolution # GG-091-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Report EGD-003-20 be received;

That staff be authorized to submit a formal request to Environment Canada to proceed with the unauthorized change in use, as defined by the *Income Tax Act*, of building Phase 2 of the Farewell Creek Trail;

That the tax levied by the Federal Government (estimated to be \$22,500) for and unauthorized change in use as defined in Section 207.31 (a) (ii) representing 50% of the fair market value of the ecological gift lands at the time of the unauthorized use (2020) be funded from the 2019 Capital account 110-32-325-83288-7401, Farewell Creek Trail, Phase 2; and

That additional funding for the Council recommended trail route, as per Resolution #C-204-19, through these ecological lands be considered for approval as part of the 2020 Budget.

Carried

Suspend the Rules

Resolution # GG-092-20
Moved by Councillor Traill
Seconded by Councillor Neal

That the Rules of Procedure be suspended to add an additional item to the Agenda.

Carried

Resolution # GG-093-20
Moved by Councillor Traill
Seconded by Councillor Neal

That, in the event that staff do not hear back from Canadian National Railway on, or before, March 31, 2020 regarding whistle cessation, Staff be directed to forward a formal written complaint to the Canadian Transportation Agency.

Carried

Suspend the Rules

Resolution # GG-094-20
Moved by Mayor Foster
Seconded by Councillor Neal

That the Rules of Procedure be suspended to extend the meeting for an additional ten minutes past the lunch break.

Carried

Resolution # GG-095-20
Moved by Councillor Neal
Seconded by Mayor Foster

That the Committee recess for lunch until 1:00 PM.

Carried

The meeting reconvened at 1:00 PM with Councillor Zwart in the Chair.

13. Operations Department Reports

No Reports for this section of the Agenda.

14. Emergency and Fire Services Department Reports

Councillor Zwart chaired this portion of the meeting.

14.1 ESD-002-20 Establishing a Motor Vehicle Collision Cost Recovery Program and Amendment to Fees By-Law Schedule B

Resolution # GG-096-20
Moved by Councillor Hooper
Seconded by Mayor Foster

That Report ESD-002-20 be received;

That the Motor Vehicle Collision Cost Recovery Program for Municipal Roadways (both Municipal and Regional Roads), be approved; and

That the by-law to amend Schedule B of By-law 2010-142, a by-law regarding the payment of fees for information and services provided by the Municipality of Clarington, attached to Report ESD-002-20 as Attachment 1, be approved.

Carried

15. Community Services Department Reports

No Reports for this section of the Agenda.

16. Municipal Clerk's Department Reports

Councillor Jones chaired this portion of the meeting.

16.1 CLD-003-20 2019 Accessibility Annual Status Update

Resolution # GG-097-20
Moved by Councillor Neal
Seconded by Councillor Traill

That Report CLD-003-20 be received; and

That Report CLD-003-20 be placed on the municipal website.

Carried

17. Corporate Services Department Reports

Mayor Foster chaired this portion of the meeting.

18. Finance Department Reports

No Reports for this section of the Agenda.

19. Solicitor's Department Reports

No Reports for this section of the Agenda.

20. CAO Office Reports

20.1 CAO-005-20 Partners for Climate Protection Program

Resolution # GG-098-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Report CAO-005-20 be received;

That Council endorse the attached Resolution (as Attachment 1 to Report CAO-005-20) to join the Federation of Canadian Municipalities – International Council for Local Environmental Initiatives (FCM-ICLEI) Partners for Climate Protection (PCP) program;

That Councillor Zwart be appointed for the Municipality of Clarington to the FCM-ICLEI PCP program;

That the Mayor and Clerk be authorized to sign any related agreements and/or reports;

That staff be directed to undertake the Five-Milestone Framework of the PCP program as part of the Clarington Climate Action Plan, which is currently under development; and

That all interested parties listed in Report CAO-005-20 and any delegations be advised of Council's decision.

Carried

21. New Business – Consideration

21.1 Plastic Cups

Resolution # GG-099-20
Moved by Councillor Neal
Seconded by Councillor Traill

That staff be directed to review with the Hall Boards and the Bowmnville Older Adult Association the matter of using compostable cups instead of single use plastic cups, and report back to a General Government Committee meeting; and

That staff update the General Government Committee, at the same time, regarding the same issue at Garnet B. Rickard Recreation Complex.

Carried

21.2 2019 Budget Actuals

Resolution # GG-100-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Staff provide 2019 actual results as part of the 2020 budget documents.

Carried

21.3 Councillors' Boardroom

Resolution # GG-101-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Staff be directed to assess the configuration of the Councillors' Boardroom, and the noise from the vicinity and what can be done about the issue.

Carried

21.4 CAO Review Committee

Resolution # GG-102-20
Moved by Councillor Neal
Seconded by Councillor Jones

That a review Committee for the CAO be established consisting of the Mayor and two Councillors, which would report annually to a closed session of the General Government Committee.

Carried Later in the Meeting, see following motion

Resolution # GG-103-20
Moved by Councillor Neal
Seconded by Councillor Traill

That item 21.4 be referred to the end of the agenda.

Carried

21.5 Fill

Resolution # GG-104-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That Staff report back on whether fill from outside Clarington is being brought into fill sites in Clarington.

Carried

22. Unfinished Business

22.1 EGD-018-19 Award of Geotechnical Services Consulting for Slope Stability Investigation, Analysis and Report of Farewell Creek Trail Phase 2 (Tabled from the December 9, 2019 Council Meeting)

Resolution # GG-105-20
Moved by Councillor Neal
Seconded by Councillor Jones

That the Report EGD-018-19, regarding Award of Geotechnical Services Consulting for Slope Stability Investigation, Analysis and Report of Farewell Creek Trail Phase 2, be lifted from the table.

Carried

Resolution # GG-106-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Report EGD-018-19 be received;

That the proposal received from Golder Associates Limited of Whitby, Ontario, being the lowest bidder of the compliant quotations using the roster process meeting all terms, conditions and specifications of the quotation request for Geotechnical Investigation and Recommendations - Slope Stability and Trail Design, be awarded the contract in the amount of \$50,371.20 (Net HST Rebate);

That the funds required in the amount of \$50,371.20 (Net HST Rebate) be drawn from the following 2019 budget account:

Farewell Creek Trail Phase 2 #110-32-325-83288-7401 \$50,371.20

That the funds required to support amending CIMA+'s current PO in the amount of \$2,880 (net HST) be drawn from the following 2019 budget account:

Farewell Creek Trail Phase 2 #110-32-325-83288-7401 \$ 2,880.00

That all interested parties listed in Report EGD-018-19 and any delegations be advised of Council's decision.

Carried

22.2 CAO Review Committee - Continued from Item 21.4

Closed Session

Resolution # GG-107-20
Moved by Councillor Neal
Seconded by Councillor Traill

That, in accordance with Section 239 (2) of the *Municipal Act, 2001*, as amended, the meeting be closed for the purpose of discussing a matter that deals with personal matters about an identifiable individual, including municipal or local board employees.

Carried

Rise and Report

The meeting resumed in open session at 2:06 PM.

Mayor Foster advised that one item was discussed in “closed” session in accordance with Section 239(2) of the *Municipal Act, 2001* and no resolutions were passed.

The foregoing Resolution #GG-102-20 was then put to a vote and carried.

23. Confidential Reports

24. Adjournment

Resolution # GG-108-20
Moved by Councillor Traill
Seconded by Councillor Neal

That the meeting adjourn at 2:18 PM.

Carried



Mayor



Deputy Clerk