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General Government Committee

Minutes

Date: September 28, 2020
Time: 9:30 a.m.
Location: Council Members (in Chambers or MS Teams) | Members of the Public (MS Teams)

Present Were: Mayor A. Foster, Councillor R. Hooper, Councillor J. Jones, Councillor M. Zwart

Present Via Electronic Means: Councillor G. Anderson, Councillor J. Neal, Councillor C. Traill,

Staff Present: J. Gallagher, L. Patenaude

Present Via Electronic Means: A. Allison, G. Acorn, R. Albright, F. Langmaid, R. Maciver, S. Brake, M. Marano, T. Pinn, G. Weir, A. Greentree

1. Call to Order

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

2. Land Acknowledgement Statement

Councillor Jones led the meeting in the Land Acknowledgement Statement.

3. New Business – Introduction

Councillor Neal asked that New Business items regarding Servicing Rundle Road and Highway 2 and Implementation of Phase 2 of Grant Thornton Report, be added to the New Business - Consideration section of the Agenda.

4. Adopt the Agenda

Resolution #GG-308-20
Moved by Councillor Jones
Seconded by Councillor Hooper

That the Agenda for the General Government Committee meeting of September 28, 2020 be adopted with the addition of the following New Business Items:

- Servicing Rundle Road and Highway 2
- Implementation of Phase 2 of Grant Thornton Report

Carried

5. Declaration of Interest

There were no disclosures of interest stated at this meeting.

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 Joint General Government and Planning and Development Committee Meeting of September 14, 2020

7.2 Minutes of a Special General Government Committee Meeting of September 21, 2020

Resolution #GG-309-20
Moved by Councillor Zwart
Seconded by Councillor Jones

That the minutes of the Joint General Government and Planning and Development Committee meeting held on September 14, 2020 and the minutes of the Special General Government Committee meeting held on September 21, 2020, be approved.

Carried

8. Delegations

8.1 Raj Kanthasamy, Regarding The Need for a Hindu Temple in Clarington

Mr. Kanthasamy had notified the Clerk's Department to withdraw his delegation.

8.2 Scott Parnell, Canadian Nuclear Laboratories, Regarding Port Granby Project Update

Scott Parnell, Canadian Nuclear Laboratories (CNL) was present via electronic means regarding Port Granby Project Update. Mr. Parnell made a verbal presentation to accompany an electronic presentation. He explained how the CNL has been operating during the COVID-19 Pandemic and how they have been impacted. Mr. Parnell stated that they have been gradually restarting their work with new measures for COVID-19 both in the office and in the field. He provided background on the Port Granby project and noted that they have completed the safe transfer of historic waste, away from the Lake Ontario shoreline, and have begun to restore the site to a more natural state. Mr. Parnell stated that they appreciate the Municipality of Clarington's support from Staff and the Municipal Review Team. He explained that the long-term waste management facility waste has been placed in cells, cap construction is underway, and water management measures have been successful and will continue to down scale.

Mr. Parnell also provided an update on the Port Granby bluffs. He explained that the East Gorge Groundwater Collection System is being installed, topsoil/seeding on the south site was completed in mid-September, and Cell 1 waste grading/shaping/closure is anticipated this fall. Mr. Parnell explained that the Wastewater Treatment Plant has had the lake tanks removed and the bioreactor and equalization pond cleaned out. He added that they are trucking solid waste material to the Port Hope facility for storage. Mr. Parnell noted that the route is direct from the facility in Port Hope, along Concession 1 and up to the Highway 401, and that it has support from the Municipality of Port Hope and Clarington Staff. He explained the remediation verification process and advised of the future project goals and timeline. Mr. Parnell noted that they are involved with community outreach activities and will continue to hold stakeholder meetings and presentations about the Port Granby Project. He explained that they are in the process of an application to change the cleanup criteria which is currently used to determine when remediation of a PHAI site is complete and noted the benefits for a revised cleanup criteria. Mr. Parnell provided information for public feedback and answered questions from Members of Committee.

Resolution #GG-310-20
Moved by Councillor Zwart
Seconded by Councillor Anderson

That the delegation of Scott Parnell, Canadian Nuclear Laboratories, regarding Port Granby Project Update, be received with thanks.

Carried

9. Communications – Receive for Information

9.2 Minutes from the Newcastle Business Improvement Area dated September 10, 2020

9.3 Minutes from the Energy from Waste - Waste Management Advisory Committee dated July 15, 2020

9.4 D. Patrick McNeil, Chair-Board of Directors, Elexicon Corporation, Regarding Elexicon Corporation Dividend Payment

9.6 The Honourable Seamus O'Regan, Minister of Natural Resources, Response to Correspondence Arising out of Resolution #C-282-20

Resolution #GG-311-20

Moved by Councillor Hooper

Seconded by Councillor Zwart

That Communication Items 9.2, 9.3, 9.4 and 9.6 be received for information, on consent, with the exception of items 9.1, 9.5, 9.7 and 9.8.

Carried

9.1 Minutes from the Accountability and Audit Committee dated July 14, 2020

Resolution #GG-312-20

Moved by Councillor Neal

Seconded by Councillor Hooper

That the Minutes from the Accountability & Audit Committee dated July 14, 2020, be approved.

Carried as Amended

Resolution #GG-313-20

Moved by Councillor Neal

Seconded by Councillor Jones

That the foregoing Resolution #GG-312-20 be amended by adding the following at the end:

That the Accountability and Audit Committee's Terms of Reference be amended by adding the words "(including any actions taken)" after the words "The unapproved minutes".

Carried

The foregoing Resolution #GG-312-20 was then put to a vote and carried as amended.

9.5 Memo from Stephen Brake, Director of Public Works, Regarding Drainage in Solina

Resolution #GG-314-20
Moved by Councillor Jones
Seconded by Councillor Neal

That Communication Item 9.5 be received for information.

Carried

9.7 Dan Carter, Mayor, City of Oshawa, Regarding Municipal Challenges Regarding On-Line Home-Sharing Platforms

Resolution #GG-315-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Communication Item 9.7 be received for information.

Carried

9.8 Memo from Ron Albright, Manager of Infrastructure, Regarding Whistle Cessation Background for Belleville and Markham

Resolution #GG-316-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Communication Item 9.8 be referred to the consideration of Unfinished Business Item 21.1, Report FND-029-20 Whistle Cessation Funding Options.

Carried

10. Communications – Direction

10.1 Andrew Evers, Manager, Environmental Assessment Services, Ministry of Environment, Conservation and Parks, Regarding Response to the Proposed Anaerobic Digestion Facility

Resolution #GG-317-20
Moved by Councillor Hooper
Seconded by Councillor Zwart

That Communication Item 10.1 be referred to the consideration of Unfinished Business Item 21.2, Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham, Regarding Mixed Waste Pre-Sort and Anaerobic Digestion Project.

Carried

Recess

Resolution #GG-318-20
Moved by Councillor Hooper
Seconded by Councillor Jones

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 10:47 a.m. with Councillor Zwart in the Chair.

11. Presentations

No Presentations.

12. Public Works Department Reports

No Reports for this section of the Agenda.

13. Emergency and Fire Services Department Reports

Councillor Zwart chaired this portion of the meeting.

13.1 ESD-006-20 Emergency Services Activity Report – Q2 2020

Resolution #GG-319-20
Moved by Councillor Jones
Seconded by Councillor Hooper

That Report ESD-006-20 be received for information.

Carried

14. Community Services Department Reports

No Reports for this section of the Agenda.

15. Municipal Clerk's Department Reports

No Reports for this section of the Agenda.

16. Corporate Services Department Reports

No Reports for this section of the Agenda.

17. Finance Department Reports

Councillor Neal chaired this portion of the meeting.

17.1 FND-032-20 Award of Contracts During Council Recess

Resolution #GG-320-20
Moved by Councillor Hooper
Seconded by Councillor Jones

That Report FND-032-20 be received for information.

Carried

17.2 FND-033-20 Financial Update as at June 30, 2020

Resolution #GG-321-20
Moved by Mayor Foster
Seconded by Councillor Jones

That Report FND-033-20 be received for information.

Carried

17.3 FND-034-20 Design and Build Newcastle Skate Park

Resolution #GG-323-20
Moved by Councillor Zwart
Seconded by Councillor Anderson

That Report FND-034-20 be received;

That the proposal received from Transition Construction and Scatliff + Miller + Murray having the highest rank proposal and a bid of \$290,016.00 (net HST rebate), meeting all terms, conditions and specifications of RFP2020-6 be awarded the contract for the design and build services for the Newcastle Skate Park;

That the funds required for this project including a 5% contingency allowance in the total amount of \$305,000.00 (net HST rebate) is in the approved budget allocation as provided, be funded from the following account:

Description	Account Number	Amount
Newcastle Community Park	110-32-325-83436-7401	\$305,000

That all interested parties listed in Report FND-034-20 and any delegations be advised of Council's decision.

Carried

Resolution #GG-322-20
Moved by Councillor Neal
Seconded by Councillor Jones

The Committee recessed for their one hour scheduled break as per the Procedural By-law, to reconvene at 12:50 p.m.

Carried

The meeting reconvened at 12:52 p.m. with Mayor Foster in the Chair.

Councillor Neal raised a Point of Order where he asked why Mayor Foster allows others to ask questions of Staff during a meeting but that Councillor Neal is discouraged from asking questions. Mayor Foster stated that he had asked that all Members of Council please refrain from asking questions of a personal interest to Staff, during meetings, and that he had not singled out Councillor Neal.

18. Solicitor's Department Reports

No Reports for this section of the Agenda.

19. CAO Office Reports

No Reports for this section of the Agenda.

20. New Business – Consideration

20.1 Apron Parking

Resolution #GG-324-20
Moved by Councillor Traill
Seconded by Councillor Zwart

Whereas, by Resolution #GPA-468-13, Clarington amended the Traffic and Parking By-law to permit parking on the paved portion of the boulevard apron provided that the vehicle does not encroach on the sidewalk, or the travelled portion of the roadway;

And whereas since this By-law amendment was enacted, residents have received thousands of tickets for varying degrees of encroachment on the sidewalk while taking advantage of the By-law amendment to allow boulevard parking;

And whereas nearly all trucks, full-size SUVs and minivans do not fit on the paved portion of the boulevard apron without some encroachment on either the sidewalk of the roadway;

Now therefore be it resolved that Staff report back on allowing a maximum amount of encroachment on the sidewalk or the travelled portion of the roadway to as to give clarity to residents and to enhance the existing By-law.

Motion Lost

20.2 Public Access to Municipal Property East of Mearns Avenue at Longworth Avenue

Resolution #GG-325-20

Moved by Councillor Traill

Seconded by Councillor Anderson

Whereas local residents, groups of young people, and recreational vehicles are accessing Municipally owned Environmental Protection (EP) property immediately south of Longworth Avenue and east of Mearns Avenue;

And whereas the majority of the pedestrians and the all-terrain vehicles are accessing the area at the east end of Longworth next through a narrow entrance adjacent to a private residence located at 273 Longworth Avenue;

And whereas the municipal property is part of the Soper Creek watershed and includes a small grassy clearing south of three residences on Longworth, a “trail” that extends along a precipitous thirty-foot drop from Longworth Avenue south to the train tracks, curving west along the rail corridor to a dead end at Mearns Avenue; a stormwater management pond which fills in the spring; all of which pose a serious threat to the health and safety of residents unlawfully accessing the land;

And whereas Clarington has installed a fence along Mearns Avenue preventing access to this area;

Now therefore be it resolved:

That Staff install chain link fencing at least six feet high along the east end of Longworth from Crough Street along the cul-de-sac to the property located at 273 Longworth Avenue (approximately forty feet) and a short section west of 285 Longworth Avenue (approximately eight feet);

That Staff install signage, similar to the signage in place on the fence at Mearns/Longworth, indicating the property is Municipal/EP property and that no trespassing is permitted; and

That Canadian Pacific (CP) Railway be asked to repair the damaged fence along the north side of the train tracks immediately east of Mearns Avenue at Longworth Avenue and to take the necessary steps to prevent the Municipal land east of Mearns Avenue from being accessed via the train tracks (i.e. install additional fencing as required).

Carried

20.3 Public-Private Proposal for Uxbridge Municipal Park and Trail System

Resolution #GG-326-20
Moved by Councillor Hooper
Seconded by Councillor Zwart

That the Uxbridge Municipal Park and Trail System Linkage Proposal be endorsed by the Municipality of Clarington.

Carried

20.4 Servicing Rundle Road and Highway 2

Resolution #GG-327-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Staff be directed to report back, at the next Council meeting, on options for servicing Rundle Road and Highway 2.

Carried, on a Recorded Vote (See following Motions)

Resolution #GG-328-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #GG-327-20 for a second time.

Carried

Resolution #GG-329-20
Moved by Councillor Neal
Seconded by Councillor Anderson

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #GG-327-20 for a third time.

Carried

The foregoing Resolution #GG-328-20 was put to a recorded vote and carried, as indicated below:

Yes (4): Councillor Anderson, Councillor Jones, Councillor Neal, and Councillor Traill

No (3): Mayor Foster, Councillor Hooper, and Councillor Zwart

Carried (4 to 3)

20.5 Implementation of Phase 2 of Grant Thornton Report

Resolution #GG-330-20
Moved by Councillor Neal
Seconded by Councillor Jones

That New Business Item 20.5, regarding the Grant Thornton Report, be referred to closed session at the end of the meeting.

Carried

Recess

Resolution #GG-331-20
Moved by Councillor Hooper
Seconded by Councillor Zwart

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 2:30 p.m. with Mayor Foster in the Chair.

21. Unfinished Business

21.1 FND-029-20 Whistle Cessation Funding Options (Referred from the September 14, 2020 Joint Committee Meeting)

Resolution #GG-332-20
Moved by Councillor Neal
Seconded by Councillor Traill

That Report FND-029-20 be received;

That \$750,000, from the Tax Rate Stabilization Reserve Fund, be approved for capital work to complete whistle cessation work for Cobbletick Road and Bennett Road crossings;

That Staff proceed with all necessary steps in order for whistle cessations at Cobbletick Road and Bennett Road crossings to be approved by Transport Canada; and

That all interested parties listed in Report FND-029-20 and any delegations be advised of Council's decision.

Carried, on a Recorded Vote (See following Motions)

Resolution #GG-333-20
Moved by Councillor Anderson
Seconded by Councillor Hooper

That the Rules of Procedure be suspended to allow Members of Committee to speak to the foregoing Resolution #GG-332-20 for a second time.

Carried

The foregoing Resolution #GG-332-20 was put to a recorded vote and carried, as indicated below:

Yes (4): Councillor Anderson, Councillor Jones, Councillor Neal, and Councillor Traill

No (3): Mayor Foster, Councillor Hooper, and Councillor Zwart

Carried (4 to 3)

21.2 Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham, Regarding Mixed Waste Pre-Sort and Anaerobic Digestion Project (Referred from the September 21, 2020 Council Meeting)

Resolution #GG-334-20
Moved by Councillor Neal
Seconded by Councillor Jones

That Item 21.2, regarding the anaerobic digestion project, be referred to closed session at the end of the meeting.

Carried

21.3 Gavin Battarino, Special Project Officer, Ministry of the Environment, Conservation and Parks, Regarding EA Designation Request - Anaerobic Digester

Resolution #GG-335-20
Moved by Councillor Hooper
Seconded by Councillor Zwart

That Item 21.3, correspondence from Gavin Battarino, Special Project Officer, Ministry of the Environment, Conservation and Parks, Regarding EA Designation Request - Anaerobic Digester, be received for information.

Carried

22. Confidential Reports

22.1 LGL-007-20 Prohibition of Hate Symbols

Resolution #GG-336-20
Moved by Councillor Hooper
Seconded by Councillor Anderson

That Report LGL-007-20, regarding Prohibition of Hate Symbols, be referred to the Diversity Advisory Committee.

Carried

Closed Session

Resolution #GG-337-20
Moved by Councillor Neal
Seconded by Councillor Jones

That, in accordance with Section 239 (2) of the *Municipal Act, 2001*, as amended, the meeting be closed for the purpose of discussing the following matters that deals with:

- Personal matters about an identifiable individual, including municipal or local board employees;
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

Rise and Report

The meeting resumed in open session at 4:33 p.m.

Mayor Foster advised that one item was discussed in “closed” session in accordance with Section 239(2) of the *Municipal Act, 2001* and three resolution was passed on procedural matters.

21.2 Elaine Baxter-Trahair, Chief Administrative Officer, Region of Durham, Regarding Mixed Waste Pre-Sort and Anaerobic Digestion Project (Referred from the September 21, 2020 Council Meeting)

Resolution #GG-338-20
Moved by Councillor Neal
Seconded by Councillor Jones

That item 21.2 be referred to the next Regular Council meeting dated October 13, 2020.

Carried

23. Adjournment

Resolution #GG-339-20
Moved by Councillor Neal
Seconded by Councillor Zwart

That the meeting adjourn at 4:36 p.m.

Carried

Mayor

Deputy Clerk