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General Government Committee

Minutes

Date: November 8, 2021
Time: 9:30 a.m.
Location: Council Members (in Chambers or MS Teams) | Members of the Public (MS Teams)

Members Present: 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, J. Newman, L. Patenaude, G. Acorn, S. Brake, R. Maciver, T. Pinn, J. Gallagher, R. Windle, M. Perini

1. Call to Order

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

2. Land Acknowledgement Statement

Councillor Hooper led the meeting in the Land Acknowledgement Statement.

3. Declaration of Interest

There were no disclosures of interest stated at this meeting.

4. Announcements

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

Recess

Resolution # GG-481-21

Moved by Councillor Traill

Seconded by Councillor Hooper

That the Committee recess for 5 minutes to address technical issues related to the livestream audio.

Carried

The meeting reconvened at 9:42 a.m. with Mayor Foster in the Chair.

5. Presentations/Delegations

5.1 Maureen Campbell, Regarding Snow Clearing on Sidewalks on Concession Road 3, Bowmanville, near Keeler Crescent

Maureen Campbell was present regarding snow clearing on sidewalks on Concession Road 3, Bowmanville. Ms. Campbell expressed her concerns regarding snow clearing and the implementation of the by-law. She explained that she received a letter from the Public Works Department, which stated the municipality would no longer be clearing the sidewalk along her house, on Concession Road 3. Ms. Campbell stated that she does not have a driveway on Concession Road 3 and that the sidewalk beside her house isn't bordering her property. She added that the sidewalk is solely used by the neighborhood, dog walkers, students, and people going to the church. Ms. Campbell noted that the roads are getting busier which makes it harder to clear the snow. She expressed her concerns regarding the timeline of the letter, as it is during a pandemic and is now too late to apply, for the Senior Snow Clearing Program. She requested that this matter be reviewed and reversed as she does not have a large home and the Concession Road 3 section is more than triple the sidewalk she has. Ms. Campbell answered questions from Members of Committee.

Resolution # GG-482-21

Moved by Councillor Neal
Seconded by Councillor Hooper

That Item 5.1, Delegation of Maureen Campbell, Regarding Snow Clearing on Sidewalks on Concession Road 3, Bowmanville, near Keeler Crescent, be referred to Staff.

Carried

5.2 Jury Lands Ditching Resolution

5.2.1 Delegation of Bernice Norton, ACO Clarington Branch President, Regarding New Business Item 5.2.1, Jury Lands Ditching

Bernice Norton, ACO Clarington Branch President, was present regarding Jury Lands Ditching. Ms. Norton explained that the ditch along the west side of Lambs Road has been very busy with vehicular traffic. She expressed her concerns regarding the safety of residents walking along the trails and noted a few incidents of residents almost being hit. Ms. Norton stated that the summer months are the busiest and stated that ditching and creating a berm with boulders will decrease the vehicular traffic. She concluded by answering questions from Members of Committee.

5.2.2 Correspondence from Marilyn Morawetz, Jury Lands Foundation Board - Jury Lands Ditching Resolution

5.2.3 New Business - Jury Lands Ditching (Councillor Traill)

Resolution # GG-483-21

Moved by Councillor Traill
Seconded by Councillor Anderson

Whereas while negotiations and the Official Plan Amendment proceed, trespassing continues at the Jury Lands site;

And whereas vehicular and All-Terrain Vehicle access to the site are causing damage;

And whereas the Jury Lands Foundation believes that ditch within the municipal road allowance along Lambs Road and a berm constructed with material from the ditch will stop vehicular and ATV access to the site, and discourage trespassing from this boundary;

And Whereas Clarington Council wishes to take any and all steps to preserve the integrity of the Jury Lands site pending a final resolution of the outstanding issues with the owners;

Now therefore be it resolved that Clarington Staff immediately clear the ditch of debris along Lamb's Road and that the clearance be prioritized;

That the cost of enhancing the existing ditch along Lambs Road within the municipal road allowance and construction of a berm with materials extracted from the ditch be referred to the 2022 budget; and

That the cost of placing boulders to prevent vehicular access also be referred to the 2022 budget.

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

No (2): Councillor Jones, and Councillor Zwart

Carried on a recorded vote (5 to 2)

6. Reports/Correspondence Related to Presentations/Delegations

7. Communications

7.1 Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, Regarding Proposed Study of the Current Policy/Practice for Streetlighting on Regional Roads (2021-W-36)

Resolution # GG-484-21

Moved by Councillor Hooper
Seconded by Councillor Anderson

That Communication Item 7.1, from Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, Regarding Proposed Study of the Current Policy/Practice for Streetlighting on Regional Roads (2021-W-36), be endorsed by the Municipality of Clarington; and

That a funding source for Clarington's share of the study (approximately \$25 K), be funded at the discretion of the Director of Finance/Treasurer.

Carried

7.2 Minutes of the Ganaraska Region Conservation Authority dated October 21, 2021

Resolution # GG-485-21

Moved by Councillor Zwart
Seconded by Councillor Neal

That Communication Item 7.2, Minutes of the Ganaraska Region Conservation Authority dated October 21, 2021, be received for information.

Carried

8. Staff Reports, Staff Memos and New Business Consideration

8.1 Public Works

Councillor Hooper chaired this portion of the meeting.

Resolution # GG-486-21

Moved by Mayor Foster
Seconded by Councillor Zwart

That Items 8.1.1 and 8.1.2, be approved on consent in accordance with the agenda.

Carried

8.1.1 PWD-028-21 Northglen West Phase 6 Subdivision, Plan 40M-2578 Assumption By-Law

Resolution # GG-487-21

That Report PWD-028-21 be received; and

That the draft By-law, assuming certain streets within Plan 40M-2578, Attachment 1, be approved; and

That all interested parties listed in Report PWD-028-21 and any delegations be advised of Council's decision.

8.1.2 PWD-029-21 Northglen West Phase 7 Subdivision, Plan 40M-2579 Assumption By-Law

Resolution # GG-488-21

That Report PWD-029-21 be received; and

That the By-law assuming certain streets within Plan 40M-2579, Attachment 1, be approved; and

That all interested parties listed in Report PWD-029-21 and any delegations be advised of Council's decision.

8.1.3 Memo from Stephen Brake, Director of Public Works, Regarding Information Regarding Recent Train Whistle Cessation Projects within the Greater Toronto Area

Resolution # GG-489-21

Moved by Councillor Traill

Seconded by Councillor Anderson

That Item 8.1.3, Memo from Stephen Brake, Director of Public Works, Regarding Information Regarding Recent Train Whistle Cessation Projects within the Greater Toronto Area, be received for information.

8.2 Legislative Services

Councillor Jones chaired this portion of the meeting.

8.2.1 LGS-029-21 Snow Clearing

Resolution # GG-490-21

Moved by Mayor Foster

Seconded by Councillor Hooper

That Report LGS-029-21 and any related communication items, be received; and

That the By-law attached to Report LGS-029-21, as attachment 1, be approved;

Carried

8.2.2 LGS-030-21 Review of Boards and Committees Appointment Policy

Resolution # GG-491-21

Moved by Mayor Foster
Seconded by Councillor Hooper

That Report LGS-030-21, and any related correspondence, be received;

That the draft Appointment to Boards and Committees Policy (Attachment 1 to Report LGS-030-21) be approved, replacing the current Policy; and

That all interested parties listed in Report LGS-030-21, and any delegations, be advised of Council's decision.

Carried as Amended Later in the Meeting

See following motion.

Amendment:

Resolution # GG-492-21

Moved by Councillor Neal
Seconded by Mayor Foster

That the foregoing Resolution #GG-491-21 be amended by adding the following:

That the policy be amended by changing Section 6 of the proposed policy from:

The appointment shall be ratified by Council.

to

The appointment recommendation shall either (i) be ratified at Council; or (ii) if pulled at Council, the vote shall proceed in the same manner as if the vote were taking place at Committee.

Carried

Main Motion as Amended:

Resolution # GG-493-21

Moved by Mayor Foster
Seconded by Councillor Hooper

That Report LGS-030-21, and any related correspondence, be received;

That the draft Appointment to Boards and Committees Policy (Attachment 1 to Report LGS-030-21) be amended by changing Section 6 from:

"The appointment shall be ratified by Council."

to

"The appointment recommendation shall either (i) be ratified at Council; or (ii) if pulled at Council, the vote shall proceed in the same manner as if the vote were taking place at Committee";

That the policy, as amended, replacing the current policy, be approved; and

That all interested parties listed in Report LGS-030-21, and any delegations, be advised of Council's decision.

Carried

8.2.3 New Business - Council Member Vaccine Disclosure (Mayor Foster)

Resolution # GG-494-21

Moved by Mayor Foster

Seconded by Councillor Hooper

Whereas the Durham Region Medical Officer of Health and the Durham Region Health Department have encouraged employers to implement a workplace vaccination policy to maintain a safe work environment for their workers and members of the public;

And Whereas Clarington has established a Workplace COVID-19 Vaccine Policy (Policy H37);

And Whereas all employees, including full-time, part-time, temporary, contract, casual, and students, are required to comply with Policy H37;

And Whereas Members of Council are also physically present and active in the workplace including, the Municipal Administrative Centre, and other Clarington facilities;

Now therefore be it resolved that the Mayor and Members of Council shall disclose, and provide proof of their COVID-19 vaccination status, to the Manager of Human Resources, on or before November 23, 2021, using the form provided under Policy H37, and shall comply with Policy H37 in the same manner as Municipal employees.

Carried as Amended Later in the Meeting

See following motion.

Amendment:

Resolution # GG-495-21

Moved by Councillor Neal

Seconded by Councillor Traill

That the foregoing Resolution #GG-494-21 be amended by adding the following at the end:

"failing which, the Member of Council will not be permitted to enter municipal facilities."

Carried

Main Motion as Amended:

Resolution # GG-496-21

Moved by Mayor Foster

Seconded by Councillor Hooper

Whereas the Durham Region Medical Officer of Health and the Durham Region Health Department have encouraged employers to implement a workplace vaccination policy to maintain a safe work environment for their workers and members of the public;

And Whereas Clarington has established a Workplace COVID-19 Vaccine Policy (Policy H37);

And Whereas all employees, including full-time, part-time, temporary, contract, casual, and students, are required to comply with Policy H37;

And Whereas Members of Council are also physically present and active in the workplace including, the Municipal Administrative Centre, and other Clarington facilities;

Now therefore be it resolved that the Mayor and Members of Council shall disclose, and provide proof of their COVID-19 vaccination status, to the Manager of Human Resources, on or before November 23, 2021, using the form provided under Policy H37, and shall comply with Policy H37 in the same manner as Municipal employees, failing which, the Member of Council will not be permitted to enter municipal facilities.

Carried

8.3 Financial Services

Councillor Neal chaired this portion of the meeting.

8.3.1 FSD-050-21 2022 Interim Tax Levy

Resolution # GG-497-21

Moved by Councillor Zwart
Seconded by Mayor Foster

That Report FSD-050-21 and any related communication items, be received;

That the By-law attached to Report FSD-050-21, as attachment 1, be approved;
and

That all interested parties listed in Report FSD-050-21 and any delegations be advised of Council's decision.

Carried

8.4 CAO Office

Mayor Foster chaired this portion of the meeting.

8.4.1 Memo from Andy Allison, CAO, Regarding COVID Support for Hall/Arena Boards

Resolution # GG-498-21

Moved by Councillor Hooper
Seconded by Councillor Zwart

That Item 8.6.1, Memo from Andy Allison, CAO, Regarding COVID Support for Hall/Arena Boards, be received for information.

Carried

Recess

Resolution # GG-499-21

Moved by Councillor Neal
Seconded by Councillor Zwart

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 11:16 a.m. with Mayor Foster in the Chair.

9. Unfinished Business

9.1 LGS-027-21 2022 Municipal Elections - Use of Corporate Resources for Election Purposes - Policy F110 (Referred from the November 1, 2021 Council Meeting)

Resolution # GG-500-21

Moved by Councillor Neal

Seconded by Councillor Zwart

That Report LGS-027-21, and any related communication items, be received;

That the draft By-law containing an updated Policy F110, Use of Corporate Services for Election Purposes, Attachments 1 & 2 to Report LGS-027-21, be approved; and

That all interested parties listed in Report LGS-027-21 and any delegations be advised of Council's decision.

Carried as Amended Later in the Meeting

See following motions.

Amendment:

Resolution # GG-501-21

Moved by Councillor Neal

Seconded by Councillor Jones

That the foregoing Resolution #GG-500-21 be amended by replacing recommendation two with the following:

That the redlined policy, attached to the November 8, 2021, General Government Committee agenda, be approved.

Carried as Amended, see following motion

Amendment to the Amendment:

Resolution # GG-502-21

Moved by Mayor Foster
Seconded by Councillor Zwart

That the foregoing Resolution #GG-501-21 be amended by adding the following at the end:

That the redlined Policy, attached to the November 8, 2021, General Government Committee agenda, be amended by removing Section 5.8 (ii) emailed communications from the Municipality, as official statements from the Municipality, including media inquiries; and

That the appropriate sections be renumbered.

Yes (4): Mayor Foster, Councillor Anderson, Councillor Hooper, and Councillor Zwart

No (3): Councillor Jones, Councillor Neal, and Councillor Traill

Carried (4 to 3)

The foregoing Resolution #GG-501-21 was then put to a vote and carried.

Main Motion as Amended:

Resolution # GG-503-21

Moved by Councillor Neal
Seconded by Councillor Zwart

That Report LGS-027-21, and any related communication items, be received;

That the draft By-law containing an updated Policy F110, Use of Corporate Services for Election Purposes, Attachments 1 and 2 to Report LGS-027-21, be approved with the following amendments to Policy F110;

That the redline Policy F110, Use of Corporate Resources for Election Purposes, attached to the November 8, 2021, General Government Committee Agenda, be approved, with the exception of the following Section:

(ii) emailed communications from the Municipality, as official statements from the Municipality, including media inquiries;
and

That all interested parties listed in Report LGS-027-21 and any delegations be advised of Council's decision.

Carried

10. Questions to Department Heads/Request for Staff Report(s)

Mayor Foster chaired this portion of the meeting.

11. Confidential Items

11.1 Confidential Memo from Rob Maciver, Director of Legislative Services/Municipal Solicitor regarding Anaerobic Digester – Mediation Update

Suspend the Rules

Resolution # GG-504-21

Moved by Councillor Neal

Seconded by Councillor Anderson

That the scheduled one hour lunch break be delayed for 30 minutes until 12:30 p.m.

Carried

Closed Session

Resolution # GG-505-21

Moved by Councillor Neal

Seconded by Councillor Hooper

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

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- a matter that deals with advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Carried

Rise and Report

The meeting resumed in open session at 12:30 p.m.

Suspend the Rules

Resolution # GG-506-21

Moved by Councillor Anderson
Seconded by Councillor Traill

That the Rules of Procedure be suspended to extend the meeting for an additional 5 minutes.

Carried

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.

Resolution # GG-507-21

Moved by Councillor Neal
Seconded by Councillor Jones

That a Special Planning and Development Committee meeting be held to further discuss Item 11.1, Anaerobic Digester - Mediation Update.

Carried

12. Adjournment

Resolution # GG-508-21

Moved by Councillor Hooper
Seconded by Councillor Zwart

That the meeting adjourn at 12:33 p.m.

Carried