

The Corporation of the Town of Ajax

GENERAL GOVERNMENT COMMITTEE



Thursday, September 24, 2015

In-Camera at 1:30 p.m.

Open Meeting at 2:00 p.m.

Balance of In-Camera after Open Meeting

River Plate Room, Town Hall

65 Harwood Avenue South

PRESENTATIONS

Alternative formats available upon request by contacting:

accessibility@ajax.ca or 905-619-2529 ext. 3347

Anything in **blue** denotes an attachment/link. By clicking the links on the agenda page, you can jump directly to that section of the agenda. To manoeuvre back to the agenda page use the **Ctrl + Home** keys simultaneously

6. Presentations / Discussion

6.1 **[Benjamin de Forest \(Pat\) Bayly Commemoration Bust – Features & Criteria](#)**

Robert Gruber, Manager, Community & Cultural Development

6.2 **[Changes to Canada Post Home Delivery Service](#)**

Gary Muller, Manager of Planning

6.3 **[Proposed Revisions to Council Procedure By-law and Meeting Management Processes](#)**

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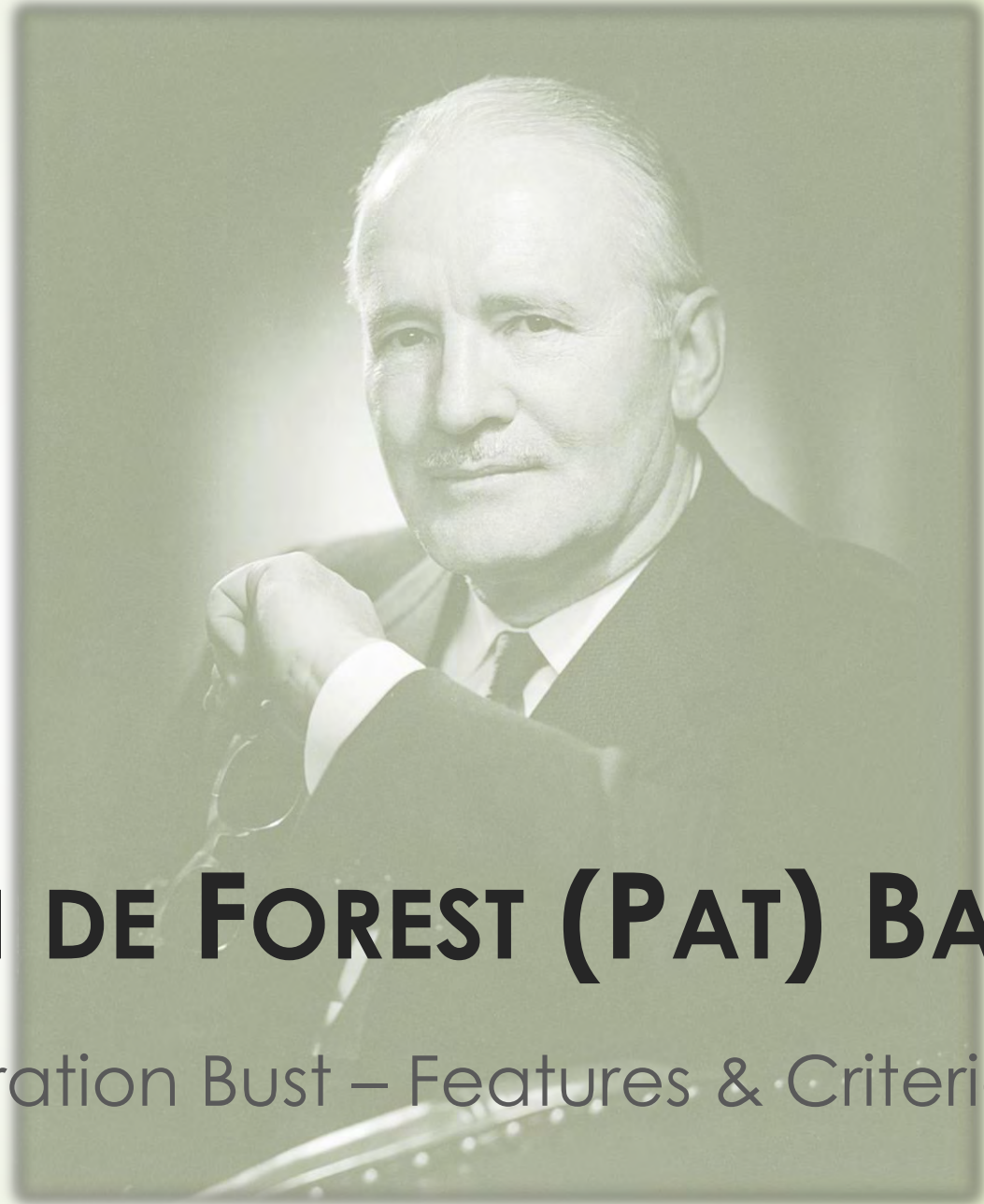
6.4 **[Council Code of Conduct Update](#)**

Nicole Wellsbury, Manager of Legislative Services/Deputy Clerk



BENJAMIN DE FOREST (PAT) BAYLY

Commemoration Bust – Features & Criteria





DESIGN CONSIDERATIONS & CRITERIA

- Be realistic in design, based on archival photographs
- Be two times (2 X) life size and include head, neck and shoulders
- Be created in bronze
- Intrigue viewers, stimulate imagination and be suitable for all ages
- Resonate with the public
- Respond to the site's general environment and connect viewers to the piece
- Be safe, durable, have reasonably low maintenance and be long-term in intent

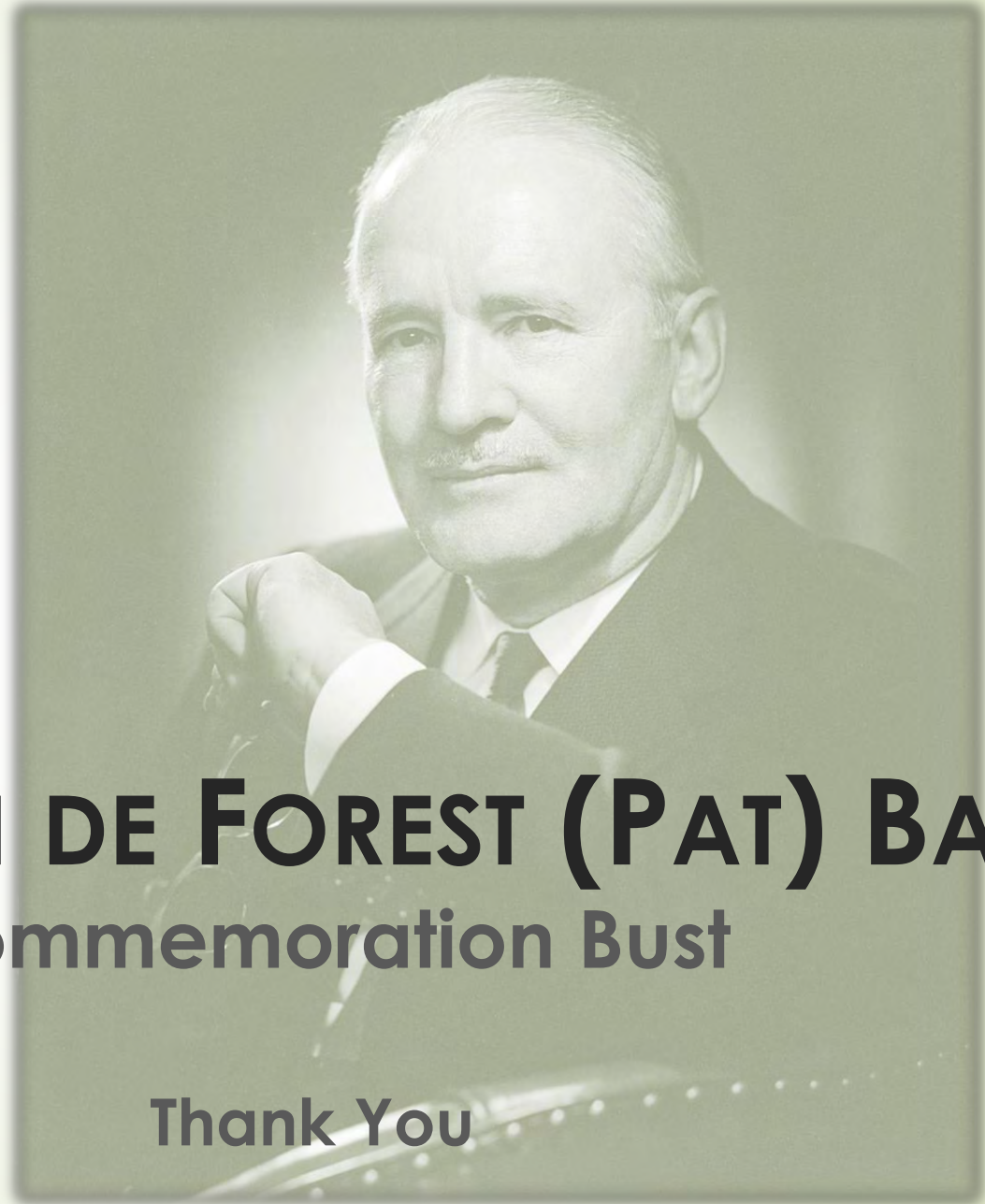




BENJAMIN DE FOREST (PAT) BAYLY

Commemoration Bust

Thank You





Changes to Canada Post Home Delivery Service

Presentation to General Government Committee

September 24, 2015



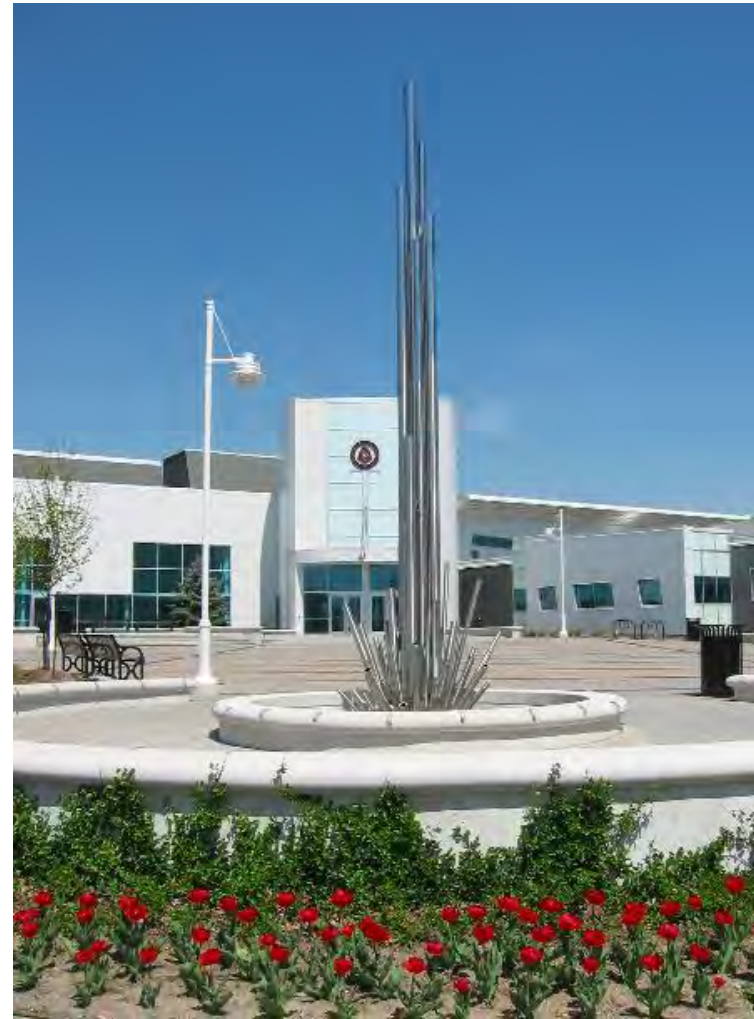
Canada Post's 5 Point Action Plan

- Community Mailboxes
- Letter Pricing
- Postal Franchises
- Streamling Operations
- Labour Costs



February 23, 2015 Council Direction

- *That the item be referred back to staff with direction to conduct a full analysis on matters including the placement of CMBs in established neighbourhoods, implications on lighting requirements, liability, parking infringement, maintenance, and associated costs, as well as options for the Town to recover costs associated with this project through PILs or other methods; and*
- *That following this analysis, staff bring forward a report with a formal recommended resolution for Council's consideration.*



Municipal & Agency Responses

- Federation of Canadian Municipalities (FCM)
- Canadian Association of Retired Persons (CARP)
- Canadian Union of Postal Workers (CUPW)
- Objecting Municipalities: Hamilton, Montreal, others
- Implementation has occurred or is underway in numerous municipalities across Canada (GTA: Oakville, Markham, Whitby)

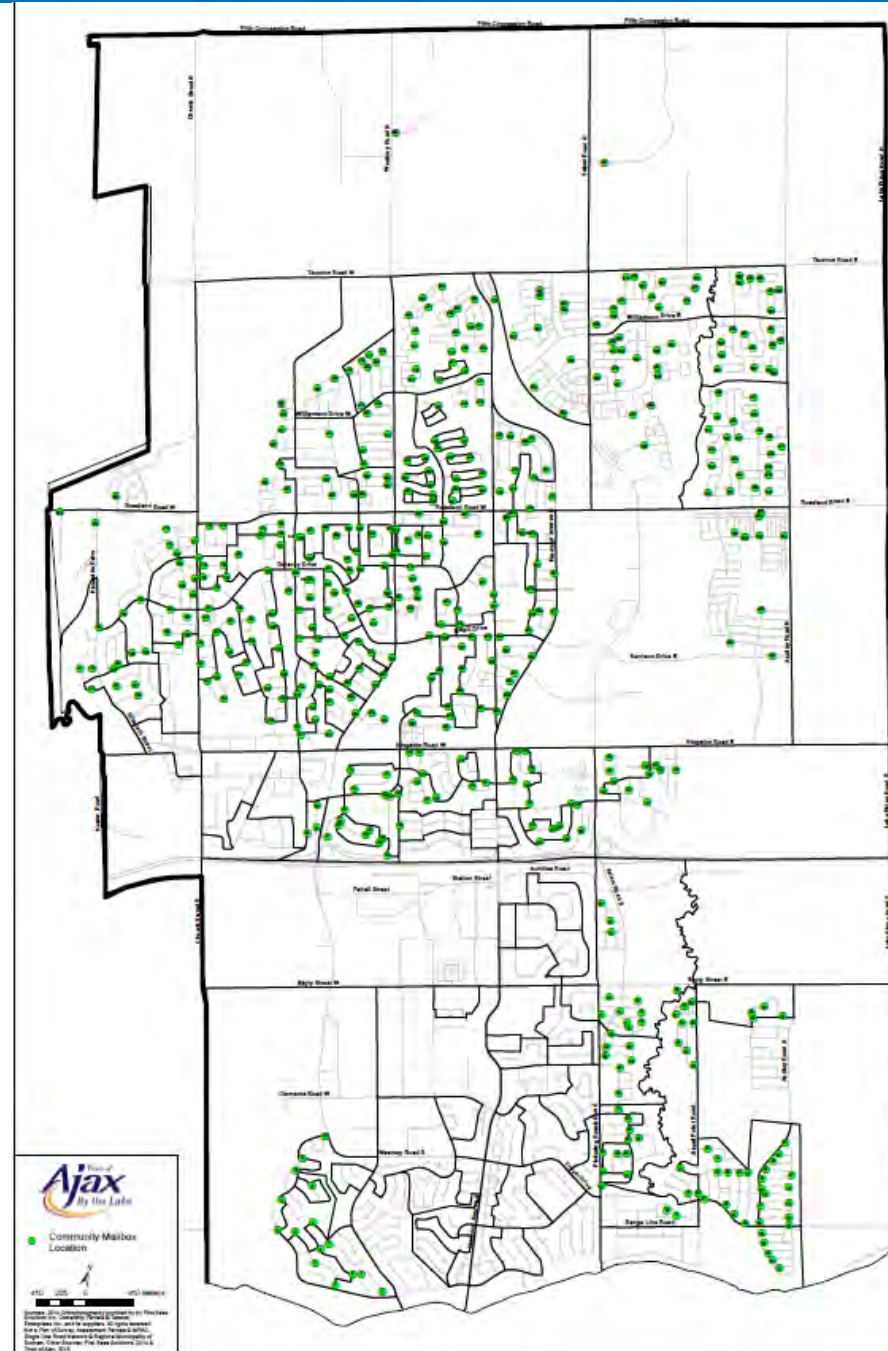


Hamilton By-law: Ontario Court Ruling – June 11, 2015

- The federal government has exclusive jurisdiction over the operation of a postal service;
- Under the *Canada Post Corporation Act*, the corporation is to have regard to “the need to conduct its operation on a self-sustaining financial basis”;
- Subsection 19 (p) of the *Act* allows for regulations with respect to “the closure of post offices, the termination of rural routes and the *termination of letter carrier routes*”;
- Hamilton’s By-law 15-091 regulated the location of mailboxes... which directly encroaches upon the exclusive domain of Canada Post and is beyond the powers of the City’s jurisdiction;
- Hamilton’s By-law was ruled to have no effect on Canada Post and its operations to convert to CMBs.
- Hamilton appealed to the Ontario Court of Appeal – seeking financial contributions in support of its appeal

Community Mailboxes in Ajax

- CMBs are in place at approximately 500 locations
- half are adjacent to a municipal sidewalk;
- Over 73% of Ajax dwellings, comprising over 78% of Ajax residents are served by CMBs;
- Nearly 24% of Ajax dwellings, comprising 19% of Ajax residents, receive door-to-door mail delivery service;
- Approximately 37% of Ajax's senior population will be affected by the conversion to CMB's.



Canada Post's Responsibility

- Installing, erecting and relocating CMBs only at specific locations on roadways under the jurisdiction of the municipality;
- Maintaining CMBs (concrete slabs, access pads, landscaping and without limitation, general upkeep and litter control on a regular basis);
- Snow clearing of areas next to the CMBs;
- To indemnify and save harmless the municipality from any and all claims for injury or damage relating to the CMB except for those arising out of negligence of the municipality.



Accessibility

- Canada Post will meet provincial AODA criteria
- *Comment:* Install in accordance with the Design of Public Spaces (DOPS) manual criteria, including:
 - exterior paths of travel should have a minimum clear width of 1500 mm;
 - the surface must be firm, stable, slip resistant and constructed of concrete;
 - a maximum running slope and cross slope should be not more than 1:20;
 - a CMB site should be situated away from sewer grates that could impede small wheels, canes or other mobility devices.



Accessibility

- New CMBs should face an adjacent sidewalk wherever possible, but this will not be possible in some existing built up areas of Ajax:
 - wartime houses north of Hwy 401;
 - east of Pickering Village;
 - Pickering Beach (roads constructed to a rural standard with soft shoulders and drainage ditches);
- This may pose challenges for persons with disabilities, older adults and people with strollers as pedestrians are forced to access the box from the travelled portion of the roadway.



Accessibility

- Canada Post states that affected residents will receive a package asking them to self-identify if they have any accessibility issues. Depending upon the individual's condition, Canada Post may either:
 - Provide a larger key to the mailbox;
 - Provide a slide-out tray within the mailbox;
 - Make arrangements with the individual's prescription provider to enable mail pick-up at this alternate location;
 - Arrange for home delivery if there are no other options.



Graffiti and Litter

- New CMB designs have an anti-graffiti coating which makes them easier to clean;
- New CMBs have a service telephone number and a box identifier number to report service, damage, vandalism or other concerns with the CMB;
- Canada Post will not provide refuse or recycling containers, since it is in the business of delivering mail at a fee. Canada Post prefers that its delivered mail be taken home;
 - Residents may place a request to Canada Post to opt out of receiving ad mail.



Maintenance and Liability

- Canada Post is fully responsible for maintaining each CMB location including snow and windrow removal on CMB sites (only the area in front of the CMB itself);
- Canada Post will dispatch for snow removal once the accumulated snow from any snowfall event exceeds 5 cm;
- Canada Post is also responsible for clearing of windrows after snowplows have cleared the abutting roads if the windrow is in front of the CMB itself.



Lighting and Utility Coordination

- New CMBs should be placed within 10 metres of a municipal light standard wherever possible;
- As part of the Town's review of candidate sites, proposed installation sites will be reviewed to ensure that there are no conflicts with gas mains, telecommunications, sewers, water, electrical, lighting and drainage works.



Traffic and Parking Infringement

- Canada Post representatives have advised that it will not place CMBs in “No Stopping” zones.
- The Highway Traffic Act allows for temporary stopping of vehicles including mail delivery and pick-up in “No Parking Zones”
- *Locations that should be avoided:*
 - Sites on the inside of a curved road;
 - Locations close to public transit stops;
 - Locations close to schools to reduce the potential of operational conflicts during peak times;
 - Locations within a sight line of a stop or yield controlled intersection.



Implications for Cost Recovery

- The Town does not assume any responsibility for maintenance of CMB sites;
- All obligations for CMB sites are the responsibility of Canada Post;
- Canada Post will provide payment of \$50 per future CMB site to cover costs for municipal site reviews.



Future Consultation

- Canada Post representatives stated that the process is expected to commence in Ajax in 3 years;
 - Meet with the Mayor prior to announcement with information and presentation materials. Canada Post may also provide information in the media;
 - Candidate locations are provided to staff for review and comment. A survey is also included in the residents' letters;
 - Face to face visits are provided for all residents who would be adjacent to a proposed CMB location;
- Conversion takes place over a one year period.



Staff Recommendations

- Obtain commitments from Canada Post regarding its responsibility for CMBs:
 - Placement;
 - Operation;
 - Maintenance;
 - Community outreach;
 - Consultation and future contact with residents.
- Canada Post's acknowledgement in publications prior to conversion regarding:
 - Its responsibility for placement and maintenance of CMBs;
 - Responding to public complaints;
 - Its plan to provide access for those with mobility restrictions.



Staff Recommendations

- Canada Post be requested to adhere to siting criteria including:
 - Facing a public sidewalk;
 - Being within 10 metres of a light standard;
 - Adherence to AODA (Design of Public Spaces) criteria;
- *Avoid:*
 - Arterial and Collector roads;
 - Waterfront locations;
 - Boulevard trees (3 m away);
 - Inside curves of roadways;
 - Transit stops;
 - School sites;
 - Sites where stopped vehicles could interfere with sight lines of stop or yield controlled intersections.



Proposed Changes to:

- Meeting Management Processes
- Council Procedure By-law
- Council Code of Conduct

Impetus for Review

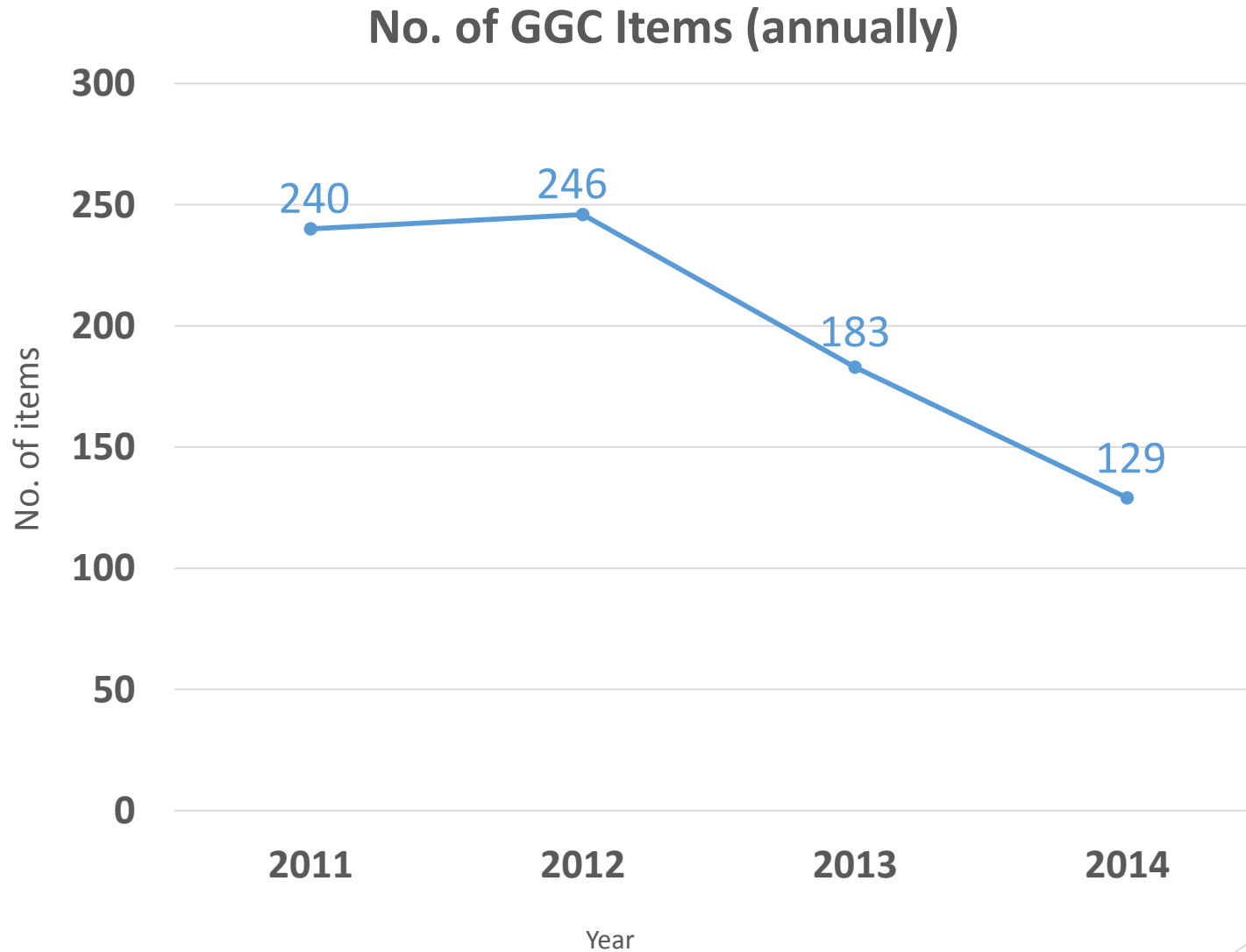
- ▶ Last substantive review was in 2007
- ▶ Technological Advancements (*agendas now distributed and consumed electronically, web streaming and video posting now in demand, etc.*)
- ▶ Changing realities in Ajax (*fewer GGC reports due to modified contract award rules, fewer CAP reports and more cancelled meetings*)
- ▶ New accountability and transparency demands and legislative requirements
- ▶ **Community Action Plan Deliverables:**
 - ❖ “Implement initiatives to enhance public access to Council deliberations and decisions including:
 - ✓ Actively reporting-out in-camera decisions where possible
 - ✓ Improve transparency of meeting management processes through a review and update of the Council Procedure By-law
 - ✓ Recording more public meetings”

Proposed Meeting Schedule Changes

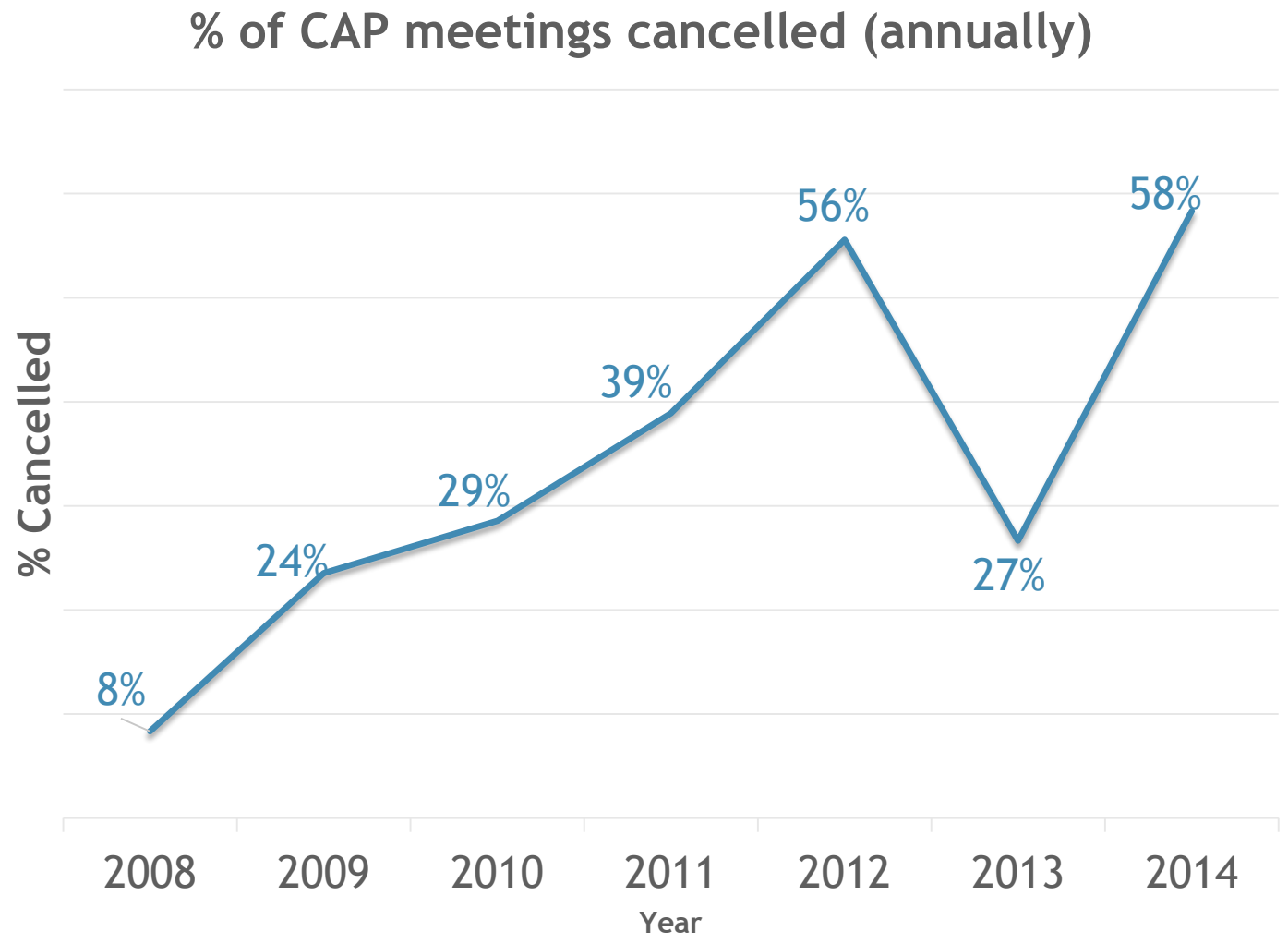
- ▶ A new schedule with fewer monthly meetings is proposed for Ajax
- ▶ Rationale:
 - Year-over-year decline in number of items considered annually (and per agenda)
 - Meeting cancellations/ Very short meetings
 - Many comparable municipalities operate successfully on a 3-week or monthly cycle (e.g. Whitby, Pickering, Oakville)



Decline in no. of GGC Agenda Items



Cancelled CAP Meetings, 2008-2014



Short Council Meetings

Year	Avg. Meeting Length				
	Ajax	Oshawa	Whitby	Pickering	Clarington
2013	69 min	N/A	N/A	N/A	N/A
2014	70 min	N/A	N/A	N/A	N/A
2015 (to date)	55 min	171 min	129 min	77 min	115 min



Status Quo (2-week cycle)

January						
Su	Mo	Tu	We	Th	Fr	Sa
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17	18	19	20	21	22	23
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31						

February						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

March						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
Su	Mo	Tu	We	Th	Fr	Sa
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May						
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29	30	31				

June						
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 Budget
 CAP
 GGC
 Council

early 2016 shown

Recommended: Monthly rotation (1st, 2nd, 3rd Mondays)

January						
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					1	2
3	4	5	6	7	8	9
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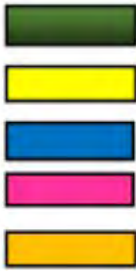
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March						
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April						
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May						
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June						
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19	20	21	22	23		
26	27	28	29	30		



Budget
CAP
GGC
Council
Statutory Holidays

Option: Monthly rotation (1st, 2nd, 3rd Tuesdays)

January						
Su	Mo	Tu	We	Th	Fr	Sa
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

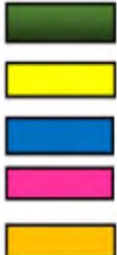
February						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

March						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	1		
19	20	21	22	2		
26	27	28	29	3		



Budget
CAP
GGC
Council
Statutory Holidays

Implications

Pros	Cons
<ul style="list-style-type: none">✓ Fewer meetings (about half as many)✓ More efficient use of time for senior staff and others who attend Council/Committee meetings✓ Helps to relieve existing pressures resulting from limited Town Hall meeting space✓ Simplifies schedules and agenda publication processes (agendas would always be published on Tuesdays)✓ Standing Committee reports would not need to be 'circulated separately'	<ul style="list-style-type: none">✗ Longer meetings✗ July meetings✗ Longer timeframe for staff to obtain Council approvals✗ More 'special meetings' of Council??✗ From time to time, reports intended for GGC or CAP may go directly to Council due to time constraints

Other Meeting Management Improvements

- ▶ **Agenda Publication dates to be advanced**
 - ▶ Proposed to move from 3 days prior to meeting, to 6 days prior to meeting
- ▶ **Improving Public Access to Meetings**
 - ▶ Enhancing recording equipment in River Plate Room
 - ▶ Pursuing opportunities with Rogers for the online posting of Council meetings (and possibly recording & posting CAP meetings)
- ▶ **Enabling Remote Meeting Attendance**
 - ▶ Technology will be available to enable video/teleconference participation for members in special or emergency circumstances

Procedure By-law Changes

- ▶ **Delegations and Presentations**

- ▶ Clarified the difference between the two; greater time allocations afforded to persons who are granted “Presentation Status” by the Clerk

- ▶ **Standing Committee Reports**

- ▶ Standing Committee Chairs to briefly report on GGC & CAP happenings, at Council

- ▶ **In-Camera Meetings and Reports**

- ▶ Language has been strengthened to encourage more regular ‘reporting out’ of in-camera decisions, where possible
- ▶ A report of “no-longer-sensitive” In-Camera decisions is proposed to be released annually, to be coordinated by the Clerk’s office

Procedure By-law Changes, cont'd

- ▶ 2/3rds now required to suspend the rules & reconsider
- ▶ Streamlined “Council Order of Business”
 - ▶ “Other Business” and “Question period” proposed to be removed
- ▶ Public Notice Policy updated
 - ▶ Is now more reflective of current *Municipal Act* requirements and modern forms of communication

Consultation

- ▶ Town Solicitor ✓
- ▶ Rogers Local Cable ✓
- ▶ Accessibility Advisory Committee ✓
- ▶ Ministry of Municipal Affairs and Housing ✓

Upcoming Dates

- ▶ Oct 8, 2015 GGC - Approval of 2016 Meeting Calendar
- ▶ Oct 26, 2015 - Public Meeting on PBL
- ▶ November 9, 2015 Council - Approval of new Procedure By-law
- ▶ Jan 1, 2016 - PBL to take effect

Recommendation:

- ▶ That the report titled “Proposed Revisions to Council Procedure By-law and Meeting Management Processes” be received for information; and,
- ▶ That a public meeting be held on the Proposed Procedure By-law at the October 26, 2015 Council Meeting.

Council Code of Conduct

Background

- ▶ October 2013: New Council Code of Conduct
- ▶ Early 2015 Integrity Commissioner was retained for the first time to investigate a complaint.
- ▶ Following his investigation, the Integrity Commissioner was requested to provide any comments he may have on necessary or desirable improvements to the Ajax Code of Conduct.

Proposed Changes

- ▶ Formatting changes (separate complaint procedure, etc.)
- ▶ Additions
 - ▶ “Business relations”
 - ▶ “Reprisals and Obstruction”
 - ▶ “Conduct Regarding Current & Prospective Employment”

Six-Week/Six-Month Limitations

- ▶ “Complaints must be submitted within six weeks of the matter becoming known to the individual and no more than six months after the alleged violation occurring.”
- ▶ When asked to specifically address the validity and fairness of this provision, the Integrity Commissioner felt that it is an important provision that should remain within the Code as is.



Consultation

- ▶ Town Solicitor ✓
- ▶ Integrity Commissioner ✓

Upcoming Dates

- ▶ Oct 26, 2015 Council - Public Meeting on Council Code of Conduct
- ▶ November 9, 2015 Council - Code of Conduct By-law approval
- ▶ Code comes into effect immediately on passing

Recommendation:

- ▶ That the report entitled “Council Code of Conduct update” be received for information;
- ▶ That a public meeting on the proposed revised Council Code of Conduct & Complaints Protocol, be held at the October 26, 2015 Council Meeting.

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Questions?