



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4590th
Date: Monday, August 26, 2019
Time: 6:00 P.M.
Location: Council Chamber, City Hall

Council Present: Mayor Mathieson - Chair Presiding, Councillor Beatty, Councillor Bunting, Councillor Burbach, Councillor Clifford, Councillor Gaffney, Councillor Henderson, Councillor Ingram, Councillor Ritsma, Councillor Sebben, Councillor Vassilakos

Staff Present: Joan Thomson - Acting Chief Administrative Officer, David St. Louis - Director of Community Services, Ed Dujlovic - Director of Infrastructure and Development Services, Michael Humble - Director of Corporate Services, Jacqueline Mockler - Director of Human Resources, John Paradis - Fire Chief, Jodi Akins - Council Clerk Secretary, Tatiana Dafoe - Acting Clerk, Mike Beitz - Corporate Communications Lead, Eden Grodzinski - Manager of Housing, Janice Bierness - Manager of Financial Services, Kathy Bjorkquist - Human Resource Coordinator

Also Present: Members of the Public, Media

1. Call to Order:

Mayor Mathieson, Chair presiding, called the Council meeting to order.

Singing of O Canada

Moment of Silent Reflection

2. Declarations of Pecuniary Interest and the General Nature Thereof:

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and to otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No declarations of pecuniary interest were made by a Member at the August 26, 2019 Regular Council meeting.

3. Adoption of the Minutes:

R2019-367

Motion by Councillor Ritsma

Seconded By Councillor Ingram

THAT the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated August 12, 2019 be adopted as printed.

Carried

4. Adoption of the Addendum/Addenda to the Agenda:

There was no addenda to the August 26, 2019 Regular Council agenda.

5. Report of the Committee of the Whole In-Camera Session:

5.1 At the August 12, 2019 Session, under the Municipal Act, 2001, as amended, matters concerning the following items were considered

Application to the Town and Gown Advisory Committee

- Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b))

R2019-368

Motion by Councillor Ritsma

Seconded By Councillor Henderson

THAT Randi Rudner be appointed as a Stratford Chef School representative to the Town and Gown Advisory Committee for a

two-year term until November 30, 2021 or until a successor is appointed;

AND THAT By-law 178-2018, as amended, be further amended.

Carried

5.2 At the August 26, 2019 Session, under the Municipal Act, 2001, as amended, matters concerning the following items were considered:

- Advice that is subject to solicitor-client privilege including communications necessary for that purpose (section 239.(2)(f)) 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 of local board (section 239.(2)(k));
- Labour relations or employee negotiations (section 239.(2)(d)).

Direction was given on the first item.

6. Hearings of Deputations and Presentations:

6.1 Presentation by the Ad-Hoc Citizen's Committee on Council Remuneration

R2019-369

Motion by Councillor Beatty

Seconded By Councillor Burbach

THAT Kimberly Richardson, Chair of the Ad-Hoc Citizen's Committee on Council Remuneration, be heard.

Carried

Kimberly Richardson, Chair of the Ad-Hoc Citizen's Committee on Council Remuneration, referring to a PowerPoint presentation provided the qualifications of each Committee member and reviewed the mandate of the Committee.

The Committee met nine times between January and August 2019. Key considerations included the impact of the elimination of the 1/3 tax exemption, determining a process for review and analysis of remuneration and review of resources including an AMCTO report, data from a 2007 review and municipal comparators. It was noted that the Committee

started with seven comparators and reduced to two.

The current state of remuneration was reviewed, noting that pension and benefits are not currently provided and that the base pay, Deputy Mayor differential and per diems have been indexed in accordance with the CPI increase.

The Committee advised the Provincial Government eliminated the 1/3 tax-free exemption and recommended adjusting pay levels for Mayor and Council to the amount prior to the elimination.

Three options to implement that recommendation were put forward including making it retroactive to January 1, 2019, making it effective January 1, 2020 to allow for inclusion in the 2020 budget or implement immediately upon approval.

Woodstock and St. Thomas were selected as municipal comparators, although it was noted that Stratford has more Councillors.. Comparison of council size and make-up, wages and benefits were completed as outlined in the report. It was determined that Stratford Councillors are significantly undercompensated for time spent relative to the comparators.

Three options were provided including:

1. no change to Mayor's compensation and an increase to Councillor remuneration based on the midpoint of two comparators;
2. the same proposal but with a set amount of \$4,000 for benefits for both Mayor and Council; and a
3. third option of the same proposal as the first option but including \$4,000 in lieu of benefits in the base pay for both Mayor and Council.

Impact to the tax levy ranged from 0.128% to 0.202% based on the option selected.

Additional considerations were suggested, including completion of a governance review, mandating a Council remuneration review each term of Council with a standardized format and consideration to moving to a model without per diems for meetings.

Ms. Richardson summarized by advising that the Committee made recommendations to resolve the loss of pay due to the elimination of the 1/3 tax exemption, with separate recommendations to

correct disparity in Council remuneration in relation to comparable municipalities and other options related to governance models and remuneration.

Council was thanked for consideration of the Committee's recommendations and Ms. Richardson extended her thanks to the other members of the Committee.

In response to a question whether the loss of the 1/3 tax exemption was accounted for in the 2019 budget, the Director of Corporate Services advised that only a CPI increase was included.

Discussion was held on the recommendation to give each Councillor a per diem of \$4,320 as participation on committees and local boards varies among the members. Ms. Richardson advised that in order to do a comparison with other municipalities, it was necessary to choose a consistent amount. She stated that consideration of writing off expenses also was not considered as it would be impossible to calculate all of the possible variations of a person's income and employment.

R2019-370

Motion by Councillor Clifford

Seconded By Councillor Gaffney

THAT the Report on Council Remuneration dated August 26, 2019 be received and referred to the Finance and Labour Relations Sub-committee.

Carried

7. Orders of the Day:

7.1 Correspondence - UTRCA Municipal Budget Workshop

The Upper Thames River Conservation Authority (UTRCA) had scheduled a Municipal Budget Workshop at their Watershed Conservation Centre on Friday, September 6, 2019. Due to additional provincial announcements the session was postponed.

7.2 Acceptance of Quote - Q-2019-29 Fire Alarm Upgrades, St. Marys and Listowel (COU19-071)

R2019-371

Motion by Councillor Henderson

Seconded By Councillor Ritsma

THAT the contract for fire alarm upgrades at 329 Jones Street, St. Marys and 645 Derry Street, Listowel be awarded to Motion Electrical Contracting Ltd. for the amount of \$174,866 including HST, and that the Mayor and Clerk, or their designates be authorized to sign the necessary contract agreement.

Carried

7.3 Acceptance of Proposal - Facility Condition Assessment (COU19-072)

R2019-372

Motion by Councillor Bunting

Seconded By Councillor Vassilakos

THAT Council approve Cion Coulter Corporation to be retained for Consulting Services for the Facility Condition Assessment RFP2019-40 at a cost of \$50,930.00 excluding HST;

AND THAT the Mayor and Clerk be authorized to execute the necessary contract agreement.

Carried

7.4 Proclamation - Spiritual & Religious Care Awareness Week

R2019-373

Motion by Councillor Clifford

Seconded By Councillor Sebben

THAT Stratford City Council hereby proclaims October 20 to 26, 2019 as Spiritual & Religious Care Awareness Week (SCRAW) in the City of Stratford.

Carried

8. Business for Which Previous Notice Has Been Given:

None scheduled.

9. Reports of the Standing Committees:

9.1 Report of the Infrastructure, Transportation and Safety Committee:

R2019-374

Motion by Councillor Vassilakos

Seconded By Councillor Burbach

THAT the Report of the Infrastructure, Transportation and Safety Committee dated August 26, 2019 be adopted as printed.

Carried

9.1.1 Closure of T. J. Dolan (ITS19-050)

THAT Council proceed to give public notice that the City of Stratford is to consider a by-law to close T.J. Dolan Drive from St. Vincent Street South to St. David Street.

9.1.2 Traffic and Parking By-law Proposed Amendments (ITS19-047)

THAT the Traffic and Parking By-law 159-2008, as amended, be further amended as follows:

- That the reference to "Mobility Bus" from the table of section 11 page 14 be removed;
- That the title "Schedule 3 – Exemptions for Mobility Bus Stops" be amended to "Schedule 3 – Exemptions for Bus Stops;"
- That Schedule 3 – Exemptions for Bus Stops as amended, be further amended to delete the following:

"Directly in front of the building known as 38 Albert Street"

"On Downie Street West, from a point measured 84.8 metres North of the North curb line of St. Patrick Street for a distance of 13.3 metres North"

"On Ontario Street north, from a point approximately 235 feet to a point approximately 265 feet west of Waterloo Street, immediately west of the driveway entrance to the municipal parking lot"

- That the following be added to Schedule 3 – Exemptions for Bus Stops as amended:

"When authorized signs are installed and on display, which signs are hereby authorized, no person other than those persons

operating a Stratford Transit bus shall park or stop a vehicle to load or unload passengers within 15 metres of either side of a bus stop.

- That Schedule 6 – Angle Parking Only as amended, be further amended to delete the following:

“Cobourg Street, north side, from Waterloo St. to Erie Street”

“Market Place, both sides of the Parking Island and the south side, from Downie Street to Wellington Street”

- That the following be added to Schedule 6 – Angle Parking Only, as amended:

“Albert Parking Lot, municipally known as 18 Albert Street”

“Ontario Parking Lot, municipally known as 126 Ontario Street”

9.1.3 Simcoe and Morgan Street Crossing Guard Request (ITS19-048)

THAT staff be authorized to proceed to install a 35m sidewalk on the north side of Simcoe Street in 2019, to be funded from the Trails/BP Master Plan Implementation budget;

AND THAT staff be authorized to install a crossing guard, necessary signage and markings at the Simcoe and Morgan Street intersection in September 2019.

9.2 Report of the Planning and Heritage Committee:

R2019-375

Motion by Councillor Ingram

Seconded By Councillor Ritsma

THAT the Report of the Planning and Heritage Committee dated August 26, 2019 be adopted as printed.

Carried

9.2.1 Proposed exemption to Sign By-law 159-2004 - Sections 10.0 (b) and 16.0 (c) (PLA19-030)

THAT the request by The Hub Fine Food & Market – Butchery to permit a fascia sign on the upper storey of 33 Market Place be

denied as it does not satisfy the criteria of Section 23.0 e) of the Sign By-law.

9.2.2 Planning Application Fees Review (PLA19-028)

THAT in accordance with the Planning Act and in conformity with the Official Plan, the attached pre-planning application consultation by-law (Appendix "A") which requires applicants to consult with the City prior to submitting Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications, be adopted;

That in accordance with Section 69 of the Planning Act, Schedule "B", Building and Planning Fees and Charges, of By-law 190-2018, Fees and Charges By-law, to amended as shown on Appendix "B";

AND THAT Schedule "B", to By-law 25-2004, a by-law to establish a tariff of fees for the processing of applications made in respect of planning matters be repealed.

9.2.3 Demolition Control By-Law (PLA19-031)

THAT Council receive the Demolition Control By-law report for information;

AND THAT Council approve the Demolition Control By-law.

9.3 Report of the Finance and Labour Relations Committee:

R2019-376

Motion by Councillor Clifford

Seconded By Councillor Bunting

THAT the Report of the Finance and Labour Relations Committee dated August 26, 2019, be adopted as printed.

Carried

9.3.1 Delegating Authority on Tax Matters (FIN19-046)

THAT the Treasurer and Supervisor of Tax Revenue be delegated authority to reduce a penalty or interest charged against a property under Section 345 of the Municipal Act, 2001 as amended, to a limit of \$250;

THAT the Treasurer and Supervisor of Tax Revenue be delegated authority to approve applications under Section 357 and 358 of the Municipal Act, 2001 as amended, to cancel, reduce or refund taxes based on specific criteria of demolition, such as fire, change in use, land has become exempt, repairs or renovations, overcharges due to a gross or manifest error that is clerical in nature but not an error in judgment;

THAT the Assessment Review Board be delegated authority to exercise the functions of Council pursuant to subsections 357 (1) and (5) with respect to applications made under Section 357(1)(d.1) of the Municipal Act, 2001 as amended for the cancellation, reduction or refund of taxes levied in the year in respect of which the application is made by any persons who are unable to pay taxes because of sickness or extreme poverty for the City of Stratford;

AND THAT Delegation of Authority By-law 135-2017 as amended, be further amended to delegate this authority to the Treasurer and Supervisor of Tax Revenue for the City of Stratford and to the Assessment Review Board.

9.3.2 Operating Budget Variance Report as at 30 June 2019 (FIN19-027)

THAT the report of the Director of Corporate Services dated 23rd July 2019, regarding the Operating Budget Variance Report as at 30th June 2019, be received for information.

10. Notice of Intent:

10.1 Notice of Public Meeting under the Retail Business Holidays Act

Stratford City Council will hold a Public Meeting under the *Retail Business Holidays Act* at 7:00 p.m. on Monday, September 23, 2019 in the Council Chamber, City Hall, 1 Wellington Street to hear the application from Value Village Stores for an exemption to allow the Value Village store located at 925 Ontario Street, to open on defined holidays during the designated tourism season in Stratford.

The Act requires most retail businesses to close on defined holidays; however, certain exemptions are allowed. Stratford City Council enacted By-law 149-92 to grant exemptions to the Act. The exemptions granted by Council permit certain retail businesses to open on defined holidays from May 1 to November 12 between the hours of 10:00 a.m. and 4:00 p.m. for the maintenance and development of tourism. Other restrictions apply.

An application has been submitted requesting an exemption to permit Value Village located at 925 Ontario Street to open on defined holidays between May 1 and November 12 each year.

Any person may attend this Public Meeting to make written or oral comments with respect to this application. Alternatively, written comments may be submitted to the Acting Clerk, City of Stratford, P.O. Box 818, Stratford ON N5A 6W1 or clerks@stratford.ca by August 31.

11. Reading of the By-laws:

The following By-laws required First and Second Readings and Third and Final Readings and were taken collectively upon unanimous vote of Council present:

R2019-377

Motion by Councillor Beatty

Seconded By Councillor Burbach

THAT By-laws 135-2019 to 143-2019 be taken collectively.

Carried unanimously

R2019-378

Motion by Councillor Henderson

Seconded By Councillor Bunting

THAT By-laws 135-2019 to 143-2019 be given First and Second Readings.

Carried two-thirds support

R2019-379

Motion by Councillor Gaffney

Seconded By Councillor Clifford

THAT By-laws 135-2019 to 143-2019 be given Third and Final Readings.

Carried

11.1 Delegation of Authority - By-law 135-2019

To amend By-law 135-2017, as amended, to delegate Council's authority to the Treasurer, Supervisor of Tax Revenue or the Assessment Review Board regarding certain tax matters under the Municipal Act and certain authority under the Planning Act to the Chief Building Official and City Clerk with respect to issuance and refusal of demolition permits for residential properties.

11.2 Traffic and Parking By-law Amendments - By-law 136-2019

To amend Traffic and Parking By-law 159-2008, as amended, to make housekeeping amendments.

11.3 Acceptance of Quote - By-law 137-2019

To authorize the acceptance of the quote and the undertaking of the work by Motion Electrical Contracting Ltd., for fire alarm upgrades at certain housing buildings[Q-2019-29]

11.4 Demolition Control By-law Adoption - By-law 138-2019

To adopt a by-law designating an area of demolition control and the requirement for a permit for demolition of residential buildings.

11.5 Appointments to Town and Gown Committee - By-law 139-2019

To amend By-law 178-2018, as amended, to appoint a Stratford Chef School representative to the Stratford Town and Gown Committee.

11.6 Pre-consultation By-law Adoption - By-law 140-2019

To adopt a Pre-consultation By-law, to require applicants to consult with the City of Stratford prior to submission of a development application.

11.7 Fees and Charges By-law Amendment - By-law 141-2019

To amend Fees and Charges By-law 190-2018, as amended, to reflect amended Planning Services fees.

11.8 Repeal of Schedule "B" to By-law 25-2004 - By-law 142-2019

To repeal Schedule "B" of By-law 25-2004 as amended, which established a tariff of fees for the processing of applications made in respect of planning matters.

11.9 Acceptance of Proposal - By-law 143-2019

To authorize the acceptance of the proposal and the undertaking of the work by Cion Coulter Corporation for consulting services for the facility condition assessment [RFP 2019-40].

12. Consent Agenda: CA-2019-108 to CA-2019-112

Council did not advise of any items to be considered on the Consent Agenda.

13. New Business:

13.1. Bike Racks at Transit Terminal

In response to a question on whether bike racks would be installed at the transit terminal, the Director of Community Services advised he believes there is one there already but that the department can install one if not.

13.2. Recreation Complex Parking Lot Design

It was questioned when a design for the Recreation Complex parking lot would be presented to Council for consideration. The Director of Community Services advised it is anticipated by the end of the year.

13.3. Stratford and District Labour Council Annual Picnic

The Stratford and District Labour Council is hosting their 5th annual Labour Day picnic at Upper Queen's park on Monday, September 2 from 12-3. Members of the public were encouraged to attend.

14. Adjournment to Standing Committees:

The next Regular Council meeting is September 9, 2019 in the Council Chamber, City Hall.

R2019-380

Motion by Councillor Clifford

Seconded By Councillor Gaffney

THAT the Council meeting adjourn to convene into Standing Committees as follows:

- **Finance and Labour Relations Committee [6:15 p.m. or thereafter following the Regular Council meeting];**
and to Committee of the Whole if necessary, and to reconvene into Council.

Carried

15. Council Reconvene:

15.1 Declarations of Pecuniary Interest made at Standing Committees

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Declarations of Pecuniary Interest made at Standing Committee meetings held on August 26, 2019 with respect to the following Items and re-stated at the reconvene portion of the Council meeting:

Name, Item and General Nature of Pecuniary Interest

No disclosures of pecuniary interest were stated by a Member at the reconvene portion of the August 26, 2019 Regular Council meeting.

15.2 Reading of the By-laws (reconvene):

The following By-law required First and Second Readings and Third and Final Readings:

By-law 11.10 Confirmatory By-law - By-law 144-2019

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on August 26, 2019.

R2019-381

Motion by Councillor Vassilakos

Seconded By Councillor Ingram

THAT By-law 144-2019 be given First and Second Readings.

Carried two-thirds support

R2019-382

Motion by Councillor Burbach

Seconded By Councillor Gaffney

THAT By-law 144-2019 be given Third and Final Readings.

Carried

15.3 Adjournment of Council Meeting

R2019-383

Motion by Councillor Sebben

Seconded By Councillor Bunting

THAT the August 26, 2019 Regular Council meeting adjourn and reconvene to Committee of the Whole In-camera Session.

Carried

Meeting Start Time: 6:00 P.M.

Meeting End Time: 6:34 P.M.

Reconvene Meeting Start Time: 6:39 P.M.

Reconvene Meeting End Time: 6:41 P.M.

Mayor - Daniel B. Mathieson

Acting Clerk – Tatiana Dafoe