



Regular Meeting of Council

Minutes

Date: February 24, 2020

Time: 6:30 pm

Location: Council Chambers Level 2, City Hall

Members Present: Mayor Marianne Meed Ward, Kelvin Galbraith, Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna

Staff Present: Tim Commisso, Chris Glenn, David Thompson (Audio/Video Specialist), Debbie Hordyk, Kevin Arjoon (Clerk)

1. Call to Order:

2. National Anthem:

3. Regrets:

None

4. Proclamations:

4.1 Rare Disease Day - February 29, 2020

4.2 School Crossing Guard Awareness Day - March 25, 2020

4.3 In Memoriam Day in the City of Burlington - March 26, 2020

5. Motion to Approve Council Minutes:

Moved by: Councillor Bentivegna

Seconded by: Councillor Sharman

Confirm the minutes of the following meeting of Council:

CARRIED

5.1 Regular Council Meeting Minutes of January 27, 2020

5.2 Special Council Meeting Minutes of January 30, 2020

6. Recognitions and Achievements:

None

7. Presentations:

None

8. Declarations of Interest:

8.1 Councillor Galbraith - Confidential update on a litigation matter (L-03-20)

Councillor Galbraith's home residence is within 50 metres of the development discussed in the agenda item.

9. Delegations:

None

10. Recommendations from Standing Committees:

10.1 Council Workshop meeting of January 28, 2020

There were no recommendations from this meeting.

10.2 Environment, Infrastructure & Community Services Committee meeting of February 10, 2020

a. Neighbourhood workshop (RS-01-20)

Receive and file recreation services report RS-01-20 regarding community development initiatives Beyond Your Front Door and Blue Zones.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

b. Framework for community recreation (PR-11-19)

Approve the Framework for Community Recreation in the City of Burlington ("New Framework") as presented in Appendix A of report PR-11-19 to be the guiding policy document for the department of recreation services; and

Rescind the following Council approved policies; Leisure Service Delivery Policy (PR-7-00), Community Development (Rec-017), and Gender Equity in the Allocation of Public Recreation Spaces (PR-05-07)

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

10.3 Community Planning, Regulation & Mobility Committee meeting of February 11, 2020

- a. By-law updates to establish positions and appoint Hearing and Screening Officers (TS-02-20)

Repeal Screening and Hearing Officer By-law 40-2018; and

Approve the enactment of a by-law to establish and appoint positions of Screening Officer and Hearing Officer in the City of Burlington, attached as Appendix A to transportation services department report TS-02-20, in a form satisfactory to the City Solicitor, as its replacement.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- b. Amendments to Heritage Designation By-law for 3083 Lakeshore Road (PL-04-20)

State an intention to amend By-law 61-2008 pursuant to Part IV of the *Ontario Heritage Act*, section 30.1(1), as shown in the draft amending by-law attached as Appendix C to community planning report PL-04-20; and

Direct the Director of Community Planning to provide notice of Council's intention to amend By-law 61-2008, in accordance with section 30.1(1) of the *Ontario Heritage Act*; and

Authorize the City Clerk to present the amending by-law to Council, provided there is no objection to the statement of intention to amend designation By-law 61-2008; and

Authorize the City Clerk to take the necessary actions in the event of any objection to the statement of intention to amend By-law 61-2008 pursuant to Part IV of the *Ontario Heritage Act*, section 29(7).

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

c. Region of Halton 2020 Allocation Program (PL-10-20)

Endorse the distribution of servicing allocation through the 2020 Regional Allocation Program to the landowners / developers of lands described in the Allocation Request (attached as Appendix 1 to community planning department report PL-10-20), and as shown on the Allocation Request Map (attached as Appendix 4 to community planning department report PL-10-20); and

Authorize the Director of Community Planning to endorse any minor changes to the distribution of servicing allocation which may arise as the Region advances the program; and

Direct the City Clerk to forward a copy of community planning department report PL-10-20 together with Council resolution to the Region of Halton and the Towns of Oakville, Milton and Halton Hills.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

10.4 Audit Committee meeting of February 12, 2020

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

a. Summary of in-progress management action plans (CA-02-20)

Receive and file city auditor's office report CA-02-20 providing a summary of the management action plans in progress to address high-, medium-, and low-risk issues as detailed in Appendix A.

CARRIED

- b. Status of 2019 - 2020 audit work plan, budget and performance metrics (CA-03-20)

Receive and file city auditor's office report CA-03-20 providing the status of the 2019 audit work plan as of January 24, 2020 (Appendix A), performance metrics as of January 24, 2020 (Appendix B), and budget as of December 31, 2019.

CARRIED

- c. External audit service plan for 2019 (F-04-20)

Approve the external audit service plan for the fiscal year ended December 31, 2019 as presented by Deloitte LLP outlined in finance department report F-04-20.

CARRIED

- d. Summary of audit results - CRM implementation & on-going operations (CA-01-20)

Receive and file city auditor's office report CA-01-20 providing a summary of audit results – CRM implementation and ongoing operations audit in Appendix A.

CARRIED

- e. Summary of audit results - accounts payable and purchase card program (CA-04-20)

Receive and file city auditor's office report CA-04-20 providing a summary of audit results – accounts payable and purchase card audit in Appendix A.

CARRIED

- f. Enterprise risk management – 2019 risk register (CM-06-20)

Receive and file city manager's office report CM-6-20 providing an update on the city's enterprise risk management register for 2019.

CARRIED

- g. Internal audit resourcing (CM-07-20)

Direct the City Manager to initiate recruitment of an internal auditor as an in-house resource with functional reporting to the Audit Committee and administrative reporting to the City Manager as outlined in Option 1 of CM-07-20.

CARRIED

10.5 Corporate Services, Strategy, Risk & Accountability Committee meeting of February 13, 2020

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- a. Investigation report from Burlington Ombudsman (CL-05-20)
Receive the investigation report from ADR Chambers, Ombudsman for the City of Burlington.

CARRIED

- b. Changes to Development Charges Act and related regulations (F-09-20)
Receive finance department report F-09-20 regarding changes to the Development Charges Act and related regulations.

CARRIED

- d. Burlington Hydro business plan (F-02-20)
Receive and file finance department report F-02-20 regarding the 2020 Burlington Hydro business plan.

CARRIED

- f. 2019 community survey results (CC-01-20)
Receive and file corporate communications and government relations department report CC-01-20 providing the 2019 community survey results.

CARRIED

- c. Enterprise Resource Planning (ERP) program update (IT-01-20)

Receive and file information technology services department report IT-01-20 providing an update on the Enterprise Resource Planning (ERP) program.

Moved by: Councillor Sharman

Seconded by: Councillor Kearns

Amend Enterprise Resource Planning (ERP) program update (IT-01-20) by adding the following paragraphs to the end of the recommendation:

Direct the City Manager to provide the Corporate Services Strategy Risk and Accountability Committee with an overview of governance and project management structures for corporate projects, including but not limited to, Enterprise Resource Planning (ERP), Enterprise Asset Management System (EAMS), and Customer Relationship Management (CRM), Business Intelligence (BI); and

An initial review to be brought to Committee in May 2020; and

Direct the City Manager to provide the Corporate Services Strategy Risk and Accountability Committee with regular reporting on project status including key deliverables and timelines, risk assessments, change management plans, and readiness assessments.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

Receive and file information technology services department report IT-01-20 providing an update on the Enterprise Resource Planning (ERP) program; and

Direct the City Manager to provide the Corporate Services Strategy Risk and Accountability Committee with an overview of governance and project management structures for corporate projects, including but not limited to, Enterprise Resource Planning (ERP), Enterprise Asset Management

System (EAMS), and Customer Relationship Management (CRM), Business Intelligence (BI); and

An initial review to be brought to Committee in May 2020; and

Direct the City Manager to provide the Corporate Services Strategy Risk and Accountability Committee with regular reporting on project status including key deliverables and timelines, risk assessments, change management plans, and readiness assessments.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- e. Burlington Hydro Board compensation (CSSRA-01-20)

Approve the Burlington Hydro Board of directors' compensation adjustment as outlined in Burlington Hydro letter dated January 28, 2020, item number CSSRA-01-20, with implementation to take place in the current 2020 calendar year.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

- g. Staff directions from 2020 budget (F-46-19-2)

Note: This item was deferred to the March 12, 2020 Corporate Services, Strategy, Risk and Accountability Committee.

Defer staff directions 65 to 70 from Appendix B of F-46-19-2 to the March 12, 2020 Corporate Services, Strategy, Risk and Accountability Committee.

- h. Confidential update on a litigation matter (L-03-20)

Councillor Galbraith declared a conflict on this item. (Councillor Galbraith's home residence is within 50 metres of the development discussed in the agenda item.)

Instruct the City Solicitor or her designate to proceed in accordance with the instructions sought in confidential legal department report L-03-20.

IN FAVOUR: (6): Mayor Meed Ward, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (6 to 0)

11. Motion to Approve Standing Committee Minutes:

Moved by: Councillor Sharman

Seconded by: Councillor Bentivegna

Approve the following minutes:

CARRIED

11.1 Council Workshop meeting minutes of January 28, 2020

11.2 Environment, Infrastructure & Community Services Committee meeting minutes of February 10, 2020

11.3 Community Planning, Regulation & Mobility Committee meeting minutes of February 11, 2020

11.4 Audit Committee meeting minutes of February 12, 2020

11.5 Corporate Services, Strategy, Risk & Accountability Committee meeting minutes of February 13, 2020

12. Reports of Municipal Officers:

12.1 City Position on Expanded Cannabis Sale and Consumption (MO-02-20)

Moved by: Councillor Nisan

Seconded by: Councillor Kearns

Defer the Mayor's Report MO-02-20, regarding a City of Burlington Resolution on Expanded Sale and Consumption of Cannabis in public space to a Special Council meeting on March 9, 2020.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

12.2 CN's Proposed Milton Logistics Hub (L-7-20)

Moved by: Councillor Stolte

Seconded by: Councillor Sharman

Council of the City of Burlington endorses the resolution approved by Halton Regional Council at its meeting held Wednesday, February 12, 2020 respecting the CN's proposed Milton Logistics Hub attached as Appendix A to L-7-20.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

13. Notices of Motion:

None

14. Motions:

14.1 Motion to Waive Notice

Moved by: Councillor Nisan

Seconded by: Councillor Bentivegna

Suspend the rules of procedure to waive the requirements of notice to allow for a reconsideration of regarding Nelson Quarry Staff Direction (SD-29-19), in accordance with procedure by-law 04-2020, s. 33.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

Two-Thirds vote achieved.

14.2 Motion to Reconsider

Moved by: Councillor Nisan

Seconded by: Councillor Bentivegna

That Burlington City Council reconsider Nelson Quarry Staff Direction (SD-29-19), approved by Council at its meeting of September 23, 2019. In accordance with procedure by-law 04-2020, s. 43.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

Two-Thirds Vote Achieved.

14.3 Motion to Amend Nelson Quarry Staff Direction (SD-29-19)

Moved by: Councillor Nisan

Seconded by: Councillor Bentivegna

Amend Nelson Quarry Staff Direction (SD-29-19) from the Planning and Development Committee meeting of September 10, 2019 and approved at the September 23, 2019 Council meeting, by adding "**by May 2020: to the first paragraph and adding the following two paragraphs to the end of the recommendation:**

"Direct the Executive Director of Legal Services & Corporation Counsel to brief Council on pertinent legal matters related to the Nelson Quarry by May 2020; and

Direct the City Manager to develop a detailed communications strategy to ensure the public is well briefed on the quarry process by May 2020."

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

14.4 Nelson Quarry Staff Direction (SD-29-19)

Moved by: Councillor Nisan

Seconded by: Councillor Bentivegna

Direct the Director of City Building to report back to the Planning and Development Committee on the land use development application and review process related to the proposed Nelson Quarry expansion, including but not limited to the following **by May 2020:**

- summary of the process including decision points
- anticipated timeline for process steps
- roles and responsibilities of review agencies

- a summary of process and outcomes of the previous proposal for expansion
- a summary of any new provincial legislation related to aggregate resources (SD-29-19); and

Direct the Executive Director of Legal Services & Corporation Counsel to brief Council on pertinent legal matters related to the Nelson Quarry by May 2020; and

Direct the City Manager to develop a detailed communications strategy to ensure the public is well briefed on the quarry process by May 2020.

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

15. Motion to Receive and File Council Information Packages:

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Receive and file the following Information Packages, having been prepared and distributed to Council:

CARRIED

15.1 Council Information Package January 30, 2020

15.2 Council Information Package February 14, 2020

16. Motion to Receive and File Information Items:

Moved by: Councillor Stolte

Seconded by: Councillor Bentivegna

Receive and file information items, having been considered by Council:

CARRIED

16.1 Memo from Councillor Nisan regarding Nelson Quarry staff direction (SD-29-19)(ADM-01-2020)

17. Motion to Consider Confidential Items:

None

18. Motion to Approve By-Laws:

Moved by: Councillor Stolte

Seconded by: Councillor Sharman

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

IN FAVOUR: (7): Mayor Meed Ward, Councillor Galbraith, Councillor Kearns, Councillor Nisan, Councillor Stolte, Councillor Sharman, and Councillor Bentivegna

CARRIED (7 to 0)

18.1 8-2020: A by-law to appoint a city clerk.

18.2 9-2020: A by-law to establish and appoint positions of screening officer and hearing officer.

19. Motion to Confirm Proceedings of the Council Meeting:

Moved by: Councillor Kearns

Seconded by: Councillor Stolte

Enact and pass By-law Number 10-2020, being a by-law to confirm the proceedings of Council at its meeting held Monday, February 24, 2020 being read a first, second and third time.

CARRIED

20. Statements by Members:

21. Motion to Adjourn:

Moved by: Councillor Nisan

Seconded by: Councillor Stolte

Adjourn this Council now to meet again at the call of the Mayor.

8:18 pm

CARRIED

Kevin Arjoon
City Clerk

Marianne Meed Ward
Mayor