

	THE CORPORATION OF THE TOWN OF COBOURG
	COMMITTEE OF THE WHOLE MEETING REPORT
	January 7, 2019 Council Chambers, Victoria Hall, Cobourg

The Cobourg Municipal Council's Committee of the Whole met this afternoon at 4:00 P.M. in the Council Chambers, Victoria Hall, Cobourg, with the following persons in attendance:

Members present: Mayor John Henderson
 Deputy Mayor Suzanne Séguin
 Councillor Nicole Beatty
 Councillor Aaron Burchat
 Councillor Adam Bureau
 Councillor Emily Chorley
 Councillor Brian Darling

Staff present: Stephen Peacock, Chief Administrative Officer
 Ian Davey, Treasurer/Director of Corporate Services
 Glenn McGlashon, Director of Planning and Development
 Laurie Wills, Director of Public Works
 Dean Hustwick, Director of Community Services
 Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

Mayor John Henderson called the meeting to order. (4:00 P.M.)

AGENDA ADDITIONS

DISCLOSURE OF PECUNIARY INTEREST

There were no Declarations of Pecuniary Interest declared by Members of Council.

PRESENTATIONS

DELEGATIONS

Bruce Moore, Cobourg citizen, regarding relighting Victoria Park at Christmas.

B. Moore attended the meeting to discuss a request to Council for the Town of Cobourg to place decorative lighting at the Victoria Park during Christmas season, as done in former years. After a question and answer period, B. Moore was excused

from the meeting. (4:13 P.M.)

DELEGATION ACTIONS

Delegation Action, Bruce Moore, regarding relighting Victoria Park at Christmas.

THAT Council establish an Ad Hoc Committee regarding the location of Christmas Magic in Cobourg for 2019 with Staff involvement, and to include the item of moving Christmas Magic to Victoria Park in the 2019 Budget deliberations.

Carried

ECONOMIC DEVELOPMENT SERVICES

Chair, Mayor Henderson - Economic Development Services Coordinator

GENERAL GOVERNMENT SERVICES

Chair, Deputy Mayor Séguin - General Government Services Coordinator

A by-law to authorize an interim Tax Levy and to provide for the collection of taxes and penalty and interest charges.

Moved by Deputy Mayor Suzanne Séguin, THAT the by-law be endorsed and be presented to Council for adoption at a Regular Council Meeting.

Carried

A by-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2019.

Moved by Deputy Mayor Suzanne Séguin, THAT the by-law be endorsed and be presented to Council for adoption at a Regular Council Meeting.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the 2018 Municipal Election Final Report and Statistics.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the 2018 Town of Cobourg Municipal Election Final Report for information purposes; and

FURTHER THAT based on a successful delivery of the 2018 Municipal Election and demonstrated convenience, efficiency, accessibility and cost benefit to the ratepayer/electors of the municipality, that Council direct the Municipal Clerk to provide a report to Council in 2021 in regards to implementing Alternative Voting methods for the 2022 Municipal Elections for the Town of Cobourg.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the appointment of the Town of Cobourg Municipal Integrity Commissioner, Municipal Ombudsman, and Closed Meeting Investigator.

Moved by Deputy Mayor Suzanne Séguin, THAT Council direct Staff to proceed with the Request for Proposal (RFP) in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg; and

FURTHER THAT the Town extend the appointment of John Ewart, Ewart O'Dwyer Barristers and Solicitors as the Town of Cobourg Integrity Commissioner, Ombudsman and Closed Meeting Investigator to conclude any final on-going investigations that remains with his office and report back to Council upon their conclusion pursuant to the Town of Cobourg Ombudsman Complaint Protocol Policy; and

FURTHER THAT Council direct Staff to bring forward a report to Council for decision to provide an overview and recommendation for the appointment of a Integrity Commissioner, Ombudsman and Closed Meeting Investigator for the Town of Cobourg; and

FURTHER THAT Staff look at the option of having three (3) different individuals forming each position of Integrity Commissioner, Municipal Ombudsman and Closed Meeting Investigator separately or having one (1) individual preform all three roles.

AMENDMENT: Moved by Councillor Emily Chorley, THAT the Motion be amended to include the additional wording of directing Staff to proceed with three (3) Request for Proposals in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg.

Carried

Moved by Deputy Mayor Suzanne Séguin, THAT Council direct Staff to proceed with three (3) Request for Proposals (RFP) in order to start the process for the appointment of a Integrity Commissioner, Closed Meeting Investigator and Municipal Ombudsman for the Town of Cobourg; and

FURTHER THAT the Town extend the appointment of John Ewart, Ewart O'Dwyer Barristers and Solicitors as the Town of Cobourg Integrity Commissioner, Ombudsman and Closed Meeting Investigator to conclude any final on-going investigations that remains with his office and report back to Council upon their conclusion pursuant to the Town of Cobourg Ombudsman Complaint Protocol Policy; and

FURTHER THAT Council direct Staff to bring forward a report to Council for decision to provide an overview and recommendation for the appointment of a Integrity Commissioner, Ombudsman and Closed Meeting Investigator for the Town of Cobourg; and

FURTHER THAT Staff look at the option of having three (3) different individuals forming each position of Integrity Commissioner, Municipal Ombudsman and Closed Meeting Investigator separately or having one (1) individual preform all three roles.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding Unfinished Business/Referred Items from the 2014 – 2018 Council Term.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the report for information purposes to address unfinished and referred business items from the outgoing term of Council; and

FURTHER THAT Council direct items to Municipal Staff for further comment or review as necessary to make a determination to approve or to dispose of the unfinished or referred business items from the outgoing term of Council.

AMENDMENT: Moved by Councillor Emily Chorley, THAT the Motion be amended to include the additional wording that Council direct items to Municipal Staff for further comment or review as necessary to assist Council in making a determination to approve or to dispose of the unfinished or referred business items from the outgoing term of Council.

Carried

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the report for information purposes to address unfinished and referred business items from the outgoing term of Council; and

FURTHER THAT Council direct items to Municipal Staff for further comment or review as necessary to assist Council in making a determination to approve or to dispose of the unfinished or referred business items from the outgoing term of Council.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services regarding the Council Procedural By-law updates and amendments.

AMENDMENTS TO THE DRAFT COUNCIL PROCEDURAL BY-LAW:

Councillor Darling - Section 5.10: Add to Section wording that includes Advisory Committee, Ad Hoc and Local Board Meetings - **Carried**

Councillor Chorley - Section 9.2: Amend Section to include and all related materials and change from seven (7) days to ten (10) days - **Carried**

Councillor Chorley - Section 15.6: Amend Section to delete the final sentence 'a limit of four (4) delegations will be considered at a Meeting of Committee of the Whole, and four (4) Delegations will be considered at a Regular Council Meeting' - **Carried**

Councillor Chorley - Section 15.11: Amend Section to delete the final sentence 'Questions shall only be directed to the Delegate and not to Municipal Staff' - **Carried**

Councillor Chorley - Section 15.12: Amend Section to delete the entire provision - **Carried**

Councillor Chorley - Section 19.16: Amend Section to delete Subsection i. 'No delegations shall be permitted to speak on a notice of Motion to Reconsider' - **Carried**

Councillor Darling - Section 26.1: Amend Section to include wording 'legible addresses' - **Carried**

Councillor Beatty - Section 33.1: Amend Section to include wording 'shall occur every month following a scheduled Committee of the Whole Meeting' and to amend the section from '10 minutes to 5 minutes of speaking time at the Open Forum'

Councillor Darling - Section 33.1: Amend Councillor Beatty's amendment to include the wording 'following every Committee of the Whole Meeting' - **Carried**

Councillor Beatty - Section 33.1: Amend Section to include wording 'shall occur every Committee of the Whole Meeting' and to amend the section from '10 minutes to 5 minutes of speaking time at the Open Forum' - **Carried**

Councillor Chorley - Section 2 - Definitions: Amend the Quarterly Open Forum to delete the definition and add the wording 'Open Forum means periods of regularly scheduled time after Committee of the Whole Meetings, during which the Chair will give members of the public an opportunity to direct questions to Council on matters relevant to that meeting. While Council will endeavor to satisfy questions posed, Council reserves the option to refer the question to Staff for timely follow-up subsequent to the meeting. Members of the public and the media are encouraged to participate in the Open Forum however, civility, respect and decorum is expected - **Carried**

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the draft amended Council Procedural By-law from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council, in accordance with the Public Notice Policy, direct the Municipal Clerk to prepare a Notice to be published in the local newspaper and on the Municipal Website to advise citizens of a Public Meeting to be held on Monday, January 28, 2019, to present the amendments to the procedural by-law and to allow for the public to comment on the draft procedural by-law.

MOTION TO POSTPONE: Moved by Councillor Emily Chorley, THAT Council postpone the discussion and review of the Draft Council Procedural By-law until after the proposed Public Meeting for public comment.

Defeated

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the draft amended Council Procedural By-law from the Municipal Clerk/Manager of Legislative Services

for information purposes; and

FURTHER THAT Council, in accordance with the Public Notice Policy, direct the Municipal Clerk to prepare a Notice to be published in the local newspaper and on the Municipal Website to advise citizens of a Public Meeting to be held on Monday, January 28, 2019 at 6:00 P.M. to present the amendments to the procedural by-law as amended and to allow for the public to comment on the draft procedural by-law.

Carried

Recess

Motion to Recess: Moved by Councillor Brian Darling, THAT Council Recess for Five (Minutes). (Recess at 6:40 P.M - Return at 6:46 P.M).

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding Cannabis Retail Establishments in the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council direct the Municipal Clerk/Manager of Legislative Services to notify the Alcohol and Gaming Commission of Ontario (AGCO) that the Town of Cobourg will not permit private cannabis retail stores in the Town of Cobourg; and

FURTHER THAT Council delegate authority to the Municipal Clerk/Manager of Legislative Services to develop a process and draft a Municipal Cannabis Policy Statement in order to identify the staff and reasons required to submit the Town of Cobourg's formal response to a cannabis retail site application(s) to the AGCO, and including in the response indication of:

1. Protecting public health and safety;
2. Protecting youth and restricting their access to cannabis;
3. Preventing illicit activities in relation to cannabis;

AND FURTHER THAT Council direct the Municipal Clerk/Manager of Legislative Services that the Town's formal responses to the AGCO be posted to the Town of Cobourg's Municipal website for accountability and transparency.

Defeated

AMENDMENT: Moved by Councillor Emily Chorley, THAT the Motion be amended to include the wording, that Council reconsider its decision to opt-out of allowing private retail cannabis stores in Cobourg within Twelve (12) months or when at the specific time the Municipality of the Corporation of the Town of Cobourg becomes an eligible location for private retail cannabis stores under provincial legislation, or whichever comes first.

Defeated

PLANNING AND DEVELOPMENT SERVICES

Chair, Councillor Beatty - Planning and Development Services Coordinator

PUBLIC WORKS SERVICES

Chair, Councillor Darling - Public Works Services Coordinator

PARKS AND RECREATION SERVICES

Chair, Councillor Chorley - Parks and Recreation Services Coordinator

PROTECTION SERVICES

Chair, Councillor Burchat - Protection Services Coordinator

Letter from Pere Bekederemo, Intern Architect at n Architecture Inc., regarding a request for an Exemption to Sign By-law 008-2009 for 1154 Division Street, Cobourg.

Moved by Councillor Aaron Burchat, THAT Council refer the request to Building Staff for a report.

Carried

COMMUNITY SERVICES

Chair, Councillor Adam Bureau- Community Services Coordinator

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council. - Council Procedural By-law No. 079-2017.

CLOSED SESSION

Moved by Deputy Mayor Suzanne Séguin, Seconded by THAT Council meet in Closed Session following the Committee of Whole Meeting in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

- s. 239(1)(b)** personal matters about an identifiable individual, including municipal or local board employees.

1. Advisory/Quasi-Judicial Committee and Local Board Applications for the 2018 - 2022 Council Term:

- i. Cobourg Heritage Advisory Committee;**
- ii. Downtown Cobourg Business Improvement Area Board of Management (DBIA);**
- iii. Committee of Adjustment;**
- iv. Property Standards Committee;**
- v. Cobourg Public Library Board; and**
- vi. Cobourg Police Services Board.**

s. 239(1)(c) A proposed or pending acquisition or disposition of land by the municipality or local board.

1. A potential sale of Municipal Property, regarding Lucas Point Industrial Park Lands.

Carried

The Committee of the Whole meeting reconvened at (9:12 P.M.) in Open Session.

ADJOURNMENT

Moved by Councillor Brian Darling, THAT the meeting adjourn. (9:12 P.M.)

Carried

Municipal Clerk