



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4749th
Date: Monday, July 8, 2024
Time: 7:00 P.M.
Location: Council Chamber, City Hall

Council Present: Mayor Ritsma - Chair Presiding, Councillor Beatty, Councillor Biehn, Councillor Briscoe, Councillor Burbach, Councillor Henderson, Councillor McCabe, Councillor Nijjar, Councillor Sebben, Councillor Wordofa

Regrets: Councillor Hunter

Staff Present: Joan Thomson - Chief Administrative Officer, Kim McElroy - Director of Social Services, Tim Wolfe - Director of Community Services, Taylor Crinklaw - Director of Infrastructure Services, Karmen Krueger - Director of Corporate Services, Adam Betteridge - Director of Building and Planning Services, Neil Anderson - Director of Emergency Services/Fire Chief, Audrey Pascual - Deputy Clerk, Dave Bush - Director of Human Resources, Miranda Franken - Council Clerk Secretary, Joani Gerber - CEO, Stratford Economic Enterprise Development Corporation/investStratford

Also Present: Members of the Public and Media

1. Call to Order:

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

Councillor Hunter provided regrets for this meeting.

Land Acknowledgment

Moment of Silent Reflection

Singing of O Canada

Respectful Workplace Policy Statement

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 disclosures of pecuniary interest were made by a member at the July 8, 2024, Regular Council meeting.

3. Adoption of the Minutes:

R2024-250

Motion by Councillor McCabe

Seconded by Councillor Nijjar

THAT the Minutes of the Regular Meeting dated June 24, 2024, the Special Council Meeting dated June 27, 2024 and July 2, 2024 of Council of The Corporation of the City of Stratford be adopted as printed.

Carried

4. Adoption of the Addendum to the Agenda:

R2024-251

Motion by Councillor Burbach

Seconded by Councillor Briscoe

THAT the Addendum to the Regular Agenda of Council and Standing Committees dated July 8, 2024 be added to the Agenda as printed.

Carried

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

5.1 At the July 8, 2024, Session, under the Municipal Act, 2001, as amended, matters concerning the following items were considered:

4.1 Downtown Stratford Business Improvement Area Board of Management Applications - Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b))

At the In-camera Session for Item 4.1, personal information regarding the candidates were considered.

6. Hearings of Deputations and Presentations:

6.1 ADDED - Request for Delegation Regarding Item 10.1 Notice of Intent

Following publishing of the agenda, the persons below requested to speak to Item 10.1 in support of the proposed motion:

- Barb Shaughnessy
- Tim Forster
- Mike Sullivan

It was noted that Jane Marie Mitchell has withdrawn their request for delegation with respect to Item 10.1.

R2024-252

Motion by Councillor Henderson

Seconded by Councillor Biehn

THAT Barb Shaughnessy, Tim Forster, and Mike Sullivan be heard.

Carried

Barb Shaughnessy requested to speak to Item 10.1 in support of the proposed motion. Highlights of the delegation included:

- every person having the right to criticize government without fear of prosecution as per *Ellis v. Corbett*;
- the City of Stratford's Respectful Workplace Policy not being a requirement for municipalities;

- there being twelve legislative requirements for municipalities including the Procedural By-law that outlines how Council works and how delegates behave;
- harassment and intimidation cases being handled by the police as they constitute criminal acts;
- the City of Stratford's policy being deficient in comparison to those of other municipalities;
- the policy being misused to target residents and to penalize those who delegate to Council;
- the policy lacking built in safeguards;
- six reasons being outlined on why the motion to suspend the policy should be supported by Council including:
 - lack of data to support the policy in the first place;
 - financial implications resulting from the applications of the policy contrary to what is outlined in the policy;
 - respectful workplace policies in other municipalities only applying to staff and not residents;
 - respectful workplace policies in other municipalities allowing Council to make decisions in regards to the application of the policy;
 - lack of safeguards in the policy including clauses that prohibit abuse of power; and
 - lack of consequences for complaints that are frivolous, vexatious, or made in bad faith.

Tim Forster requested to speak to Item 10.1 in support of the proposed motion. Highlights of the delegation included:

- Mr. Forster having delegated at the May 13, 2024 Council meeting to speak about the Respectful Workplace Policy and to promote a similar motion;
- Mr. Forster reading an excerpt from his May 13th delegation asking for the rescindment of the policy;

- an email being sent directly to Council outlining a four-step solution related to the application of the policy including:
 - repealing the policy;
 - authorizing a third-party review of the policy;
 - apologizing to those affected by the heavy-handed enactment of the policy; and
 - reimbursing the legal fees of the residents involved;
- Council being responsible, under the Municipal Act, for ensuring the accountability and transparency of the operations of the municipality including the actions of senior management;
- an overview of a discussion with Mr. Forster and the Director of Human Resources regarding a complaint made against Mr. Forster; and
- Mr. Forster inviting Council to have a conversation on how to draft a solution.

Mike Sullivan requested to speak to Item 10.1 in support of the proposed motion. Highlights of the delegation included:

- the City of Stratford's Respectful Workplace Policy not being applicable to voters as they apply to employees of the municipality;
- an overview being provided of the Bracken v. Fort Erie case, which involved a ban being overturned by the court;
- some cities quoting the court case in their workplace policy as it provides a limit;
- lots of cities having workplace policies that generally do not apply to the public;
- Council having an obligation to protect all individuals using their space from violence however this obligation does not permit them to limit non-violence speech according to the courts;
- the manner in which the policy was implemented having created chaos and illegally restricting Charter rights; and

- a thorough review of the policy being necessary before further damage is done.

7. Orders of the Day:

7.1 Resolution - Proposed 2025 Budget Process, Tentative Schedule and Multi-Year Budgeting Policy (FIN24-019)

The Director of Corporate Services provided an overview of the staff report. Highlights included:

- the intent of the report being to identify the proposed budget process, to introduce a multi-year budget policy, to talk about assumptions and input into the budget, and tentative schedule for the budget process;
- the multi-year budget process not constituting an approval of a multi-year budget but laying the foundation for the upcoming year and illustrating the projected effects of the budget;
- the report talking about the process and assumptions and the analysis being conducted by staff before the draft budget is presented to Council;
- an overview of the factors being considered for the preparation of the draft budget including rates of inflation and implementation of approved initiatives; and
- an overview of the proposed timeline for the budget process.

2024-253

Motion by Councillor Burbach

Seconded by Councillor Wordofa

THAT the report titled, "Proposed 2025 Budget Process, Tentative Schedule and Multi-Year Budgeting Policy" (FIN24-019), dated June 18, 2024, be received;

THAT Council approve the Multi-Year Budgeting Policy as presented;

THAT Staff be directed to make changes to the budget survey and public engagement format to identify additional ways to increase engagement;

THAT Staff be authorized to proceed to schedule budget meeting dates for Finance Committee as follows:

- **November 28, 2024 – 9:00 a.m. to 4:00 p.m.**
- **December 3, 2024 – 9:00 a.m. to 4:00 p.m.**
- **December 9, 2024 – 4:30 p.m. to 8:00 p.m.**

AND THAT Council provide staff with any specific known initiatives to be considered, changes or additions to capital projects identified in the current 10-year capital forecasts, and changes in service levels or activities to advance the approved strategic priority goals it wishes to be considered for the 2025 fiscal year, if any at this time.

Members of Council and the Director of Corporate Services held a discussion regarding the following:

- more pauses being built into the budget schedule due to the long meeting formats;
- providing background information to the public prior to the survey through in-person or recorded presentations regarding expansion requests, service level changes, or effects of inflation factors;
- the challenges with engaging the public being noted;
- having Council be a part of the public engagement process through an in-person engagement format;
- the effectiveness of budget open houses versus budget surveys;
- the timing of the in-person engagement formats;
- additional information being provided to the public regarding the multi-year budget;
- the historic process whereby Council provides staff with a specific target and then asks staff to bring back a budget within that parameter;
- the setting of a target being a less preferred approach as it can limit the creativity and discussion around enhanced services or potential opportunities for the municipality;

- the zero-base approach being used in Stratford in the last few years which involves assessing the cost of the current level of service and determining if there are ways to affect the cost or the service;
- staff not recommending setting a target as there are pressures outside of the control of Council and staff such as provincial downloading and cuts to programming which would affect the current level of service and costs;
- the setting of service levels being a function of elected officials and it being difficult for staff to make suggestions to the proposed service delivery;
- staff continuing to provide Council with their ideas and Council making the hard decisions regarding the budget;
- the possibility of getting a more fulsome service level report to help Council make their decisions;
- when setting a target, there being a tendency for Council to ignore long-term viability of infrastructure;
- the evaluation being conducted with respect to the fees and charges updates;
- the consideration of long-term asset management in budget analysis;
- crafting survey questions to illicit responses from residents on their preferred services and their ideas for Council;
- the timeline for the budget process; and
- adding a virtual option for the public engagement formats.

A member requested a recorded vote on the matter.

In Support (8): Councillor Biehn, Councillor McCabe, Councillor Briscoe, Mayor Ritsma, Councillor Henderson, Councillor Beatty, Councillor Nijjar, and Councillor Burbach

Opposed (2): Councillor Sebben, and Councillor Wordofa

Absent (1): Councillor Hunter

Carried

7.2 Resolution - Road Widening Pertaining to Site Plan Application SP21-21, 207 St. Patrick Street (COU24-069)

R2024-254

Motion by Councillor McCabe

Seconded by Councillor Burbach

THAT the conveyance of Part 2 on Reference Plan 44R-5971 from Waterloo Development Inc. to The Corporation of the City of Stratford, be authorized;

AND THAT upon conveyance of Part 2 on Reference Plan 44R-5971 to the City of Stratford, these lands be dedicated as public highway forming part of St. Patrick Street.

Carried

7.3 Resolution - Purchase of 4-Wheel Drive Industrial Loader Backhoe and Attachments (COU24-070)

R2024-255

Motion by Councillor Biehn

Seconded by Councillor Nijjar

THAT the Tender (T-2024-14) for the Supply and Delivery of one 4-Wheel Drive Industrial Loader Backhoe and Attachments be awarded to Delta Power Equipment for a total price of \$230,842.05, including HST.

Carried

7.4 Resolution - Closed Meeting Investigation Final Reports (COU24-071)

The Deputy Clerk noted that the practice was to list the Closed Meeting Investigation Report on the next available Council agenda following receipt from the Investigator. The report is then listed on the City's website under the "Accountability and Transparency" page.

A member commented that they would move to continue the current process being followed by staff.

R2024-256

Motion by Councillor Biehn

Seconded by Councillor Sebben

THAT the Closed Meeting Investigation Final Reports 36684-6 and 36684-7, be received for information;

AND THAT Staff be directed to continue the current process being followed for making closed meeting investigation reports public.

Carried

7.5 Resolution - Canada Community-Building Fund (COU24-072)

R2024-257

Motion by Councillor Burbach

Seconded by Councillor Henderson

THAT the entering into of the Municipal Funding Agreement on the Canada Community-Building Fund with the Association of Municipalities of Ontario be authorized;

THAT the Mayor and Clerk, or their respective delegates, be authorized to sign the Municipal Funding Agreement;

AND THAT the Clerk be directed to prepare a by-law authorizing the execution of the agreement.

A member enquired as to the report listing no budgetary impact in relation to the fund. The Director of Corporate Services noting that the fund was formerly the Federal Gas Tax Fund and there has not been significant changes to it in the past years. The Director added that as noted on the report, there is a slight escalation in the funding received which was immediately dedicated to the Roads and Infrastructure deficit.

The Mayor called the question on the motion.

Carried

7.6 Resolution - Award of Tender T-2024-07 (COU24-073)

R2024-258

Motion by Councillor McCabe

Seconded by Councillor Biehn

THAT the Tender (T-2024-07) for the Supply and Delivery of one Forestry 4x4 One Ton Dually Extended Cab Chassis be awarded to Winegard Motors Ltd. at a total tender price of \$144,364.28, including HST.

Carried

7.7 Resolution - Downtown Stratford Business Improvement Area Board of Management Appointment (COU24-074)

R2024-259

Motion by Councillor Burbach

Seconded by Councillor Wordofa

THAT Ryan O'Donnell and Carl Gross be appointed to the Downtown Stratford Business Improvement Area Board of Management for the remainder of the four-year term to November 14, 2026, or until successors are appointed by Stratford City Council.

Carried

7.8 Proclamation - Childhood Cancer Awareness Month

R2024-260

Motion by Councillor Wordofa

Seconded by Councillor Henderson

THAT Stratford City Council hereby proclaims September as Childhood Cancer Awareness month to raise awareness that Childhood Cancer is a Canadian child-health priority;

AND THAT Stratford City Council authorizes the flying of the Childhood Cancer Awareness Gold Ribbon flag in support of those affected, to remember those who have passed and to bring hope for a future where Childhood cancer is no longer the number one cause of death by disease of Canadian Children.

Carried

8. Business for Which Previous Notice Has Been Given:

None scheduled.

9. Reports of the Standing Committees:

There were no Standing Committee reports considered at the July 8, 2024 meeting.

10. Notice of Intent:

10.1 Notice of Motion

At the July 22, 2024, Regular Council meeting, Councillor Sebben intends to put forward the following motion for consideration:

THAT the "Respectful Workplace Policy," policy number H.1.36, be suspended;

AND THAT staff provide options for the review of this policy to council for consideration at a future meeting.

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:

11.1 Conveyance for the Widening of St. Patrick Street – By-law 79-2024

To accept the transfer (conveyance) from Waterloo Development Inc. of Part 2 on Reference Plan 44R-5971.

11.2 Dedication of Part of St. Patrick Street as Public Highway – By-law 80-2024

To dedicate Part 2 on Reference Plan 44R-5971 as public highway forming part of St. Patrick Street in the City of Stratford.

11.3 Award Tender for Supply and Delivery of One 4-Wheel Drive Backhoe and Attachments – By-law 81-2024

To authorize the acceptance of a tender, from Delta Power Equipment for the supply and delivery of one 4-Wheel Drive Industrial Loader Backhoe and Attachments (T-2024-14).

11.4 Municipal Funding Agreement - Canada Community Building Fund – By-law 82-2024

To authorize the execution of the Municipal Funding Agreement on the Canada Community Building Fund with The Association of Municipalities of Ontario to March 31, 2034.

11.5 Award Tender for Supply and Delivery of One Forestry 4x4 One Ton Dually Extended Cab Chassis with installed Aluminum Chipper Box – By-law 83-2024

To authorize the acceptance of a tender, from Winegard Motors Ltd. for the supply and delivery of one Forestry 4x4 One Ton Dually Extended Cab Chassis (T-2024-07).

11.6 Downtown Stratford BIA Board Of Management Appointments – By-law 84-2024

To amend By-law 4-2023, as amended, to make appointments to the Downtown Stratford Business Improvement Area Board of Management.

R2024-261

Motion by Councillor Nijjar

Seconded by Councillor Henderson

THAT By-laws 79-2024 to 84-2024 be taken collectively.

Carried unanimously

R2024-262

Motion by Councillor Burbach

Seconded by Councillor McCabe

THAT By-laws 79-2024 to 84-2024 be read a First and Second Time.

Carried two-thirds support

R2024-263

Motion by Councillor Nijjar

Seconded by Councillor Beatty

THAT By-laws 79-2024 to 84-2024 be read a Third Time and Finally Passed.

Carried

12. Consent Agenda: CA-2024-116 to CA-2024-120

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

13. New Business:

There were no New Business items considered by Council.

14. Adjournment to Standing Committees:

The next Regular Council meeting is July 22, 2024 in the Council Chamber, City Hall.

R2024-264

Motion by Councillor Sebben

Seconded by Councillor McCabe

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

- **Infrastructure, Transportation and Safety Committee [7:05 P.M or thereafter following the Regular Council meeting]**

and to Committee of the Whole if necessary, and to reconvene into Council.

Carried

15. Reading of the Confirmatory By-law:

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

By-law 11.7 Confirmatory By-law – By-law 85-2024

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on July 8, 2024.

R2024-265

Motion by Councillor Biehn

Seconded by Councillor Nijjar

THAT By-law 85-2024 be read a First and Second Time.

Carried two-thirds support

R2024-266

Motion by Councillor Henderson

Seconded by Councillor Burbach

THAT By-law 85-2024 be read a Third Time and Finally Passed.

Carried

16. Adjournment of Council Meeting

R2024-267

Motion by Councillor Nijjar

Seconded by Councillor Beatty

THAT the July 8, 2024 Regular Council meeting adjourn.

Carried

Meeting Start Time: 7:00 P.M.

Meeting End Time: 8:07 P.M.

Reconvene Meeting Start Time: 8:10 P.M.

Reconvene Meeting End Time: 8:11 P.M.

"Martin Ritsma"

Mayor - Martin Ritsma

"Audrey Pascual"

Deputy Clerk - Audrey Pascual