



**The Corporation of the City of Stratford
Committee of the Whole In-camera Session
Minutes**

A meeting of the Committee of the Whole was held in In-camera Session on Monday, December 7, 2020 electronically at 3:05 p.m.

Present in Chambers: *Mayor Mathieson - Chair Presiding

Present Electronically: *Councillors Beatty, Bunting, Burbach, Clifford, *Gaffney, Henderson, Ingram, Ritsma, *Sebben and Vassilakos

Regrets: None

Staff Present in Chambers: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Chris Bantock - Deputy Clerk

Staff Present Electronically: Paula Lombardi – City Solicitor

Prior to going to In-camera session, Item 1.0 was dealt with in open session.

Call to Order by Mayor Mathieson

1.0 Adjournment into In-camera Session:

Motion by Councillor Sebben and Councillor Beatty

THAT the meeting adjourn to an In-camera Session to discuss:

3.1 [REDACTED] Cost Sharing Agreement Update

**[Advice that is subject to solicitor-client privilege including communications necessary for that purpose (section 239.(2)(f))],
And**

"Strengthening Our Community: Attracting People and Investment"

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 or local board (section 239.(2)(k))].

Carried

The meeting then adjourned to an In-camera session.

[Redacted]

[Redacted]

[Redacted]

3.0 Report of the Chief Administrative Officer

3.1 [Redacted] Cost Sharing Agreement Update

[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 or local board (section 239.(2)(k))]

Objectives:

1. To consider the request from Councillor Sebben to “discuss what preceded the [November 2018] letter and to obtain additional information that has not necessarily been discussed previously. As I was made aware of this letter by members of the public, I feel it would be beneficial for council to be informed so we can move forward with the information needed to make the best decisions;”

[Redacted]

Attachments:

- Letter from Mayor Mathieson to Minister Clark dated November 20, 2018,
- [REDACTED]
- [REDACTED]

1. Councillor Sebben's Request

See attached letter from Mayor Mathieson to Minister Clark dated November 20, 2018.

Councillor Sebben to speak to his request and to the following questions raised regarding the letter as follows:

1. This was brought to my attention by residents, as far as I know it was never mentioned in a meeting and I can't understand how it came about given the date.
2. The letter states "We have now secured an agreement in principle with [REDACTED] to build the company's first manufacturing facility in North America".
3. It also states "Most recently, we have executed a Letter of Intent with [REDACTED]"
4. Other points of concern: "and are now formalizing the Agreement of Purchase and Sale with the current property owners. We have also made plans with [REDACTED] for future growth on site in a subsequent phase."

In-camera Discussion: The Chief Administrative Officer advised there are four items to consider at the In-camera Session. The three items listed above and to provide an update on the In-camera Direction given in November.

With respect to the first item listed, Councillor Sebben advised he is concerned about the letters and that the issue has evolved. He questioned why Council was presented with two timelines, one since December 2018 and one from November with the letters requesting a Minister's Zoning Order.

Councillor Sebben advised the first issue is the foundation the decisions have been based on for the development. He stated it is difficult to move forward in good conscience without addressing the issues and starting from the beginning. He

expressed concerns with the content of the letters, specifically references to a letter of intent being executed and the mention of construction deadlines. He stated that from a review of the In-camera minutes, direction was only given in October 2019 that the acting CAO would complete reports and the request for an MZO.

The CAO advised a timeline was provided to Council and in referring to that document, the timeline started with this Council on December 4th where a summary was provided. If there are specific questions staff will attempt to respond to them. It was noted there was activity that occurred prior to this Council being sworn in and that an update was provided with respect to early discussions that occurred on the proposed development.

A member advised they requested the Clerk pull all In-camera minutes that mentioned this project. The member reviewed the minutes and advised she shares the same concerns as Councillor Sebben. The first mention of the project at an In-camera Session was an added item on the agenda and a verbal report provided on September 10, 2018. The update was broad and stated a company was interested in locating in Stratford, a tour would be undertaken, the project may require annexation of land and that the Mayors would be involved. She stated that the first time there was a mention about activities and process was at the December 4th Session where a PowerPoint presentation was provided for information purposes only. At that time, broad timelines were discussed along with discussions around communications and moving towards a consultation process. It was questioned whether minutes were missing and it was stated there was a lot of activity preceding council having a full package on this project. The member stated they have a concern with retroactive 'for your information' being provided on a project

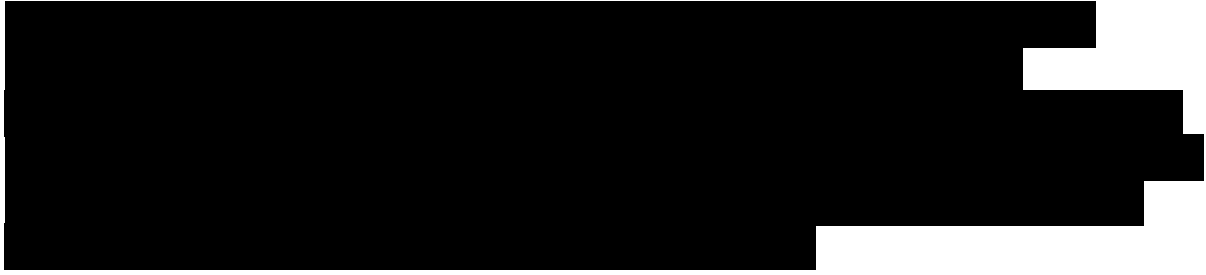
*Councillor Beatty departed the meeting at 3:17 p.m.

The member questioned how to implement a process to ensure it does not happen in the future.

*Councillor Beatty returned to the meeting at 3:18 p.m.

[REDACTED]

[REDACTED]



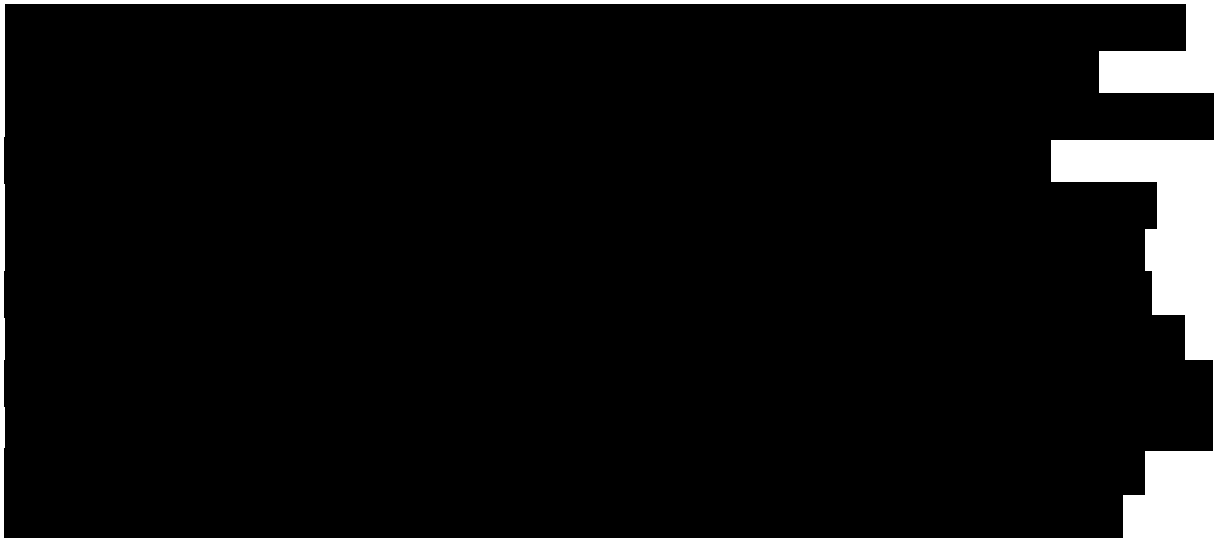
A member advised they can identify where improvements are needed in the process. Frustration was expressed that public consultation did not occur. It was stated it is a shared responsibility to do a debrief and that this process has created tension.

A member expressed frustration that this process is not followed for other businesses that have located in Stratford.

*Councillor Beatty departed the meeting at 3:27 p.m.

She stated Council is not aware of new developments until they begin discussing price, services, etc. The process is that the development is presented at an In-camera Session, Council provides direction and then a resolution and necessary by-laws are considered at an open session. It was questioned when FIO and others were approved what statement was made at Council.

*Councillor Beatty returned to the meeting a 3:30 p.m.



[REDACTED]

The CAO advised at that time a lot of high-level discussions were occurring and that there is not a lot of documentation. Preliminary discussions led to a preliminary plan however the plan changed following amendments made by the company. The timelines originally pursued by [REDACTED] were also amended as a result of a number of factors, including the COVID-19 pandemic.

[REDACTED]

*Councillor Gaffney departed the meeting at 3:44 p.m.

The binding letter of intent was not entered into until 2019. Letter on its own is in keeping with what a head of council would do under the Municipal Act and pursuing economic development opportunities.

*Councillor Gaffney returned to the meeting at 3:45 p.m.

Mayor Mathieson advised he knew the former CAO was advancing discussions with the Deputy Minister of Municipal Affairs and Housing regarding municipal boundaries and economic development.

A member stated it is helpful to understand the different perspectives as she was not on Council when the project was initiated. Additional information on the history and process was requested, if available. It was noted this development is not like others as its 8x the size and it will impact the whole community. It was stated a big project like this needs public scrutiny. Due to the process followed for this development Council and the public were not involved or able to fully participate and the actions of the province did not help.

It was stated the original letter requested general industrial zoning on the annexed lands. This would have provided flexibility for the types of development that could

have used the site and would have ensured a public process was followed for amendments. The MZO issued by the Province tied the City's hands and only permits a specific development on a portion of the annexed lands.

A member stated the MZO made this development different.

*Councillor Gaffney departed the meeting at 3:52 p.m.

The letter requested assistance in obtaining an MZO, including addressing the issue of conformity with the official plan. [REDACTED]

*Councillor Gaffney returned to the meeting at 3:54 p.m.

The member further questioned why all of the information on this project was not provided to Council even though it was requested. The member stated they can understand why they were not privy to high level conversations at that time but questioned why the information was not disclosed over the last two years. Concern was expressed that Council was unaware of these letters until they were made public. It was noted staff are doing their best and are overworked and that it is not about faulting staff. The member stated the problem stems from the direction given as an agreement was not to be reached until a public announcement was made. Concern was expressed that the full picture was not provided and that an answer needs to be provided on why Council was not told everything, specifically the MZO portion.

[REDACTED]

A member stated there has to be an acknowledgement about what happened and that everything leading to this moment is relevant. Concern was expressed that information was requested and not provided.

*Councillor Gaffney departed the meeting at 4:04 p.m.



*Councillor Gaffney returned to the meeting at 4:05 p.m.

A member stated the presentation given in December 2018 was to be preceded by announcements. Surprise was expressed that the former CAO said the MZO was a go. She stated her opinion was to release all the details that shows the activities of the CAO prior to Council reviewing a full package on the development or that nothing be released. A concern with the Q&A was expressed that it tries to outline a narrative that does not reflect the complete picture. The member further stated that if someone asked them about it she would advise it is incomplete. If the details are to be kept confidential the member stated they should remain so and not be released.



Discussion was held on the emergency preparedness center and the need for it. The CAO advised new information was received and that it will be shared during the meeting.

Discussion was held on the MZO statement on the website and whether it could be removed as it seems incomplete. It was noted the MZO statement was reviewed by the City Solicitor, the CAO, the Clerk, the Communications Lead, the Director of Infrastructure and Development Services, the CEO of investStratford and by

members of Council prior to being posted on the website. It was further noted that if there is a specific issue that it should be identified. A member stated the statement does not include information about the letters that were released publicly.

[REDACTED]

*Mayor Mathieson departed the meeting at 4:25 p.m.

[REDACTED]

[REDACTED]

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The mover withdrew the motion on the floor.

[REDACTED]

The CAO advised the last item to be considered is her letter to Council. The CAO advised the purpose is to raise concerns and to state she is proud of the actions of the City's team. Staff are here to serve Council and appreciate the direction being given. Previously there was discussion about moving forward and having a discussion to improve policies and processes once this project has been dealt. Feedback from members of Council was encouraged. Direction was requested on whether an expert on Council to Council and Council to staff relations should be retained. The CAO advised she has reached out to a firm, [REDACTED], who have expertise in the field. Staff are also familiar with [REDACTED], who would lead the session. The CAO advised that if a session is to be held, direction is required to proceed with retaining a consultant and developing the session.

A member stated they look forward to the session and that there is a need to discuss how to move forward. A second member supported the session as Council needs to make decisions and not refer items back to staff or request information and then choose to not proceed. It was questioned what staff could have accomplished had they not been in this meeting.

In-camera Direction: Motion by Councillor Ingram and Councillor Beatty **THAT direction be given to the CAO to move forward with the holding of a Council to Council and Council to Staff relations sessions with [REDACTED]**

A member stated the session was necessary as Council does not know how to come together as a group. A further member expressed support as Council still has two more years to go and a lot to accomplish.

A member stated the float glass manufacturing facility is unique and that developing a process to deal with these large projects is important.

It was questioned what the cost of the session will be. The CAO advised a specific price has not been set. Following direction from tonight's meeting those discussions would begin and a proposal would be brought back to Council for consideration. The session could be between [REDACTED].

A member requested information be provided on what Council's role was during this process.

Deputy Mayor Ritsma called the question on the motion.

Carried

In-camera Direction: Motion by Councillor Vassilakos and Councillor Burbach **THAT Council and Staff proceed to collaboratively prepare a policy around processes to aid in identifying core principles such as what accountability and transparency looks like as conditions related to development projects for consideration by Council.**

It was questioned who would facilitate this process. Councillor Vassilakos advised she could undertake research and discuss the findings with the CAO. The CAO advised this process must apply to all projects, large and small. Feedback could be sent to the CAO and a follow-up report would be prepared for Council's consideration. A request was made for a communication plan to be developed along with the process.

Deputy Mayor Ritsma called the question.

Carried

In-camera Direction: Motion by Councillor Sebben and Councillor Beatty THAT the CAO's letter dated December 4, 2020 be received for information.

A request was made for points of order to be used fairly and consistently among all members of Council.

Deputy Mayor Ritsma called the question on the motion.

Carried

■ [REDACTED]

[REDACTED]

[REDACTED]