

The Corporation of the Township of Southgate

By-law Number 2020-022

**being a by-law to authorize an agreement between the
Corporation of the Township of Wellington North and the
Corporation of the Township of Southgate**

Whereas the Municipal Act, 2001, Chapter 25, as amended, Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas Section 8 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues; and

Whereas Section 9 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas it is deemed necessary and desirable that the Council of the Corporation of the Township of Southgate enact a by-law authorizing the Corporation to enter into an agreement with the Corporation of the Township of Wellington North,

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate enacts as follows:

1. **That** the agreement between the Corporation of the Township of Wellington North and The Corporation of the Township of Southgate, attached hereto at Schedule A is hereby ratified and confirmed; and
2. **That** the Mayor and the Deputy Clerk are authorized to sign the agreement on behalf of the Township of Southgate; and
3. **That** by-law number 88-2015 is hereby repealed; and
4. **That** where the provisions of any other by-law, resolution or action of Council are inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail.

Read a first, second and third time and finally passed this 15th day of April, 2020.

John Woodbury – Mayor

Lindsey Green – Acting Clerk

THIS AGREEMENT made in duplicate this ____ day of January 2020

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
(hereinafter called "Wellington North") of the FIRST PART

And

THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE
(hereinafter called "Southgate") of the SECOND PART

WHEREAS the Council of Wellington North has established the Mount Forest and District Sports Complex (hereinafter called "the Facility") at 850 Princess Street, Mount Forest which, in part, provides recreational services for residents of Southgate;

AND WHEREAS the Council of Wellington North has established a Recreation Department to provide for the operation, maintenance and management of said facility;

AND WHEREAS the Facility is comprised of different sized rooms intended for use on a rental basis by individuals and organizations for social and business gatherings and a Facility providing an ice surface to be used for different "ice oriented" activities including related dressing rooms, a seating area, and a reception lobby;

AND WHEREAS Southgate wishes to provide financial assistance to Wellington North for only the operations of the "ice oriented" part of the Facility;

AND WHEREAS each of the Parties hereto wish to clarify its obligations to the other Party with respect to these matters and to identify more particularly the powers of the Wellington North Recreation Department in relation to the management of this Facility;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants of each Party, the one with the other, the Parties hereto covenant and agree and follows:

1. The Recreation Department of Wellington North under the direction of the Director of Operations (hereinafter called the "director") will provide direction for the management of the Mount Forest and District Sports Complex and the programs offered therein (hereinafter called the "Facility") on behalf of Wellington North.

2. The Director, or designate, will report in writing to the Recreation, Parks & Leisure Committee of Wellington North on the operation of the Facility. The report will include financial information and general information with respect to the operations of the facility including information on events being held, major maintenance and repairs, seasonal operations, etc.
3. The Director, or designate, will provide a financial report described in paragraph 2, as it relates to only "ice oriented" activities at the Facility, to the Council of Southgate April 30th, September 30th and a yearend final financial report.
4. Periodically report to Recreation, Parks & Leisure Committee on net annual revenue, operating and capital costs, including grants, for which Southgate is providing assistance, which includes year-round "ice oriented" or "ice surface" activities at the Facility.
5. An amount of \$24,802.00 and increased annually by the annual change in the Consumer Price Index will be paid to the Township of Wellington North by the Township of Southgate on an annual basis payable:
 - a. 50% on February 1st each year
 - b. 25% on September 1st each year, and
 - c. The balance on Southgate's receipt of the "ice-oriented" year-end financial report.
6. This amount will be increased annually by the annual change in the Consumer Price Index as of October of the Previous year.
7. This is a 5-year agreement starting January 1, 2020 and terminating on December 31, 2024.
8. Southgate, as part of this agreement, shall appoint one person to represent the municipality on the Wellington North Recreation, Parks & Leisure Committee, as per the Committee's Terms of Reference included in this agreement as "Schedule A".

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF each of the parties hereto affixed its corporate seal as attested to by the proper officers duly authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF WELLINGTON NORTH

DocuSigned by:



80AF05F0477047...

Andrew Lennox, Mayor

DocuSigned by:



F66A115C71324C9...

Karren Wallace, Clerk

THE CORPORATION OF THE TOWNSHIP
OF SOUTHGATE

John Woodbury, Mayor

Dave Milliner, Deputy Clerk

Schedule A
to the Wellington North-Southgate Recreation Agreement

**TERMS OF REFERENCE
RECREATION, PARKS AND LEISURE
Standing Committee of Council**

RECREATION VISION STATEMENT

Ensuring affordable, inclusive and high-quality recreation, parks and leisure opportunities through effective communication and combined community efforts.

ROLE/PURPOSE

The Recreation, Parks and Leisure Committee will serve as an advisory body to the Council of the Township of Wellington North:

- Provide strategic direction and recommendations with a focus on long-term planning on matters related to parks and recreation, including policy development, community partnerships, programming, and capital matters;
- Actively promote, encourage and support the use of local parks and recreational assets, as well as support the Recreation Master Plan's guiding principles and recommendations;
- Provide a forum for citizens to raise ideas or concerns regarding recreation, parks and leisure, as well as actively engage community groups in advocacy, coordination and collaborations;
- Advise Council of issues/concerns raised by taxpayers or staff that may affect the overall success of the department;
- Be the lead on design and layout approvals of new recreation assets i.e. pools, parks, playgrounds and the surrounding landscaping;
- Create a healthy community by providing opportunities for physical activities for all ages through programs and utilization of township assets;
- Recommend to Council the establishment of ad hoc committees where necessary to address project-specific items; and
- Report annually to Council on their accomplishments and future work plans.

TERM

This Terms of Reference is effective immediately, expiring on December 31, 2022, as the initial term, with automatic renewal for four-year terms unless otherwise specified. Committee members will typically serve four-year terms; however, membership is at the pleasure of their respective Township Councils. Before automatic renewal of this Terms of Reference, the Committee will review and propose any appropriate amendments in its Terms of Reference and membership, requiring Council approval of amendments.

COMMITTEE COMPOSITION/STRUCTURE

The Committee shall be comprised of the following:

- Two (2) Township of Wellington North Council representatives
- One (1) Township of Southgate Council representative
- Township of Wellington North Mayor (ex-officio)
- Four (4) municipal staff representatives (non-voting)
 - Director of Operations
 - Manager of Recreation Services
 - Community Recreation Coordinator
 - Clerk, Deputy Clerk or designate

Alternate Council Member Representative: Council may appoint an alternate Council Member Representative to attend meetings when the other Council member is unable to attend. The alternate can only have voting rights in the absence of the other member.

Additional representatives may also be invited to join the Recreation, Parks and Leisure Committee or attend specific meetings as an expert resource to support discussion/decision making.

The Committee will appoint from its voting members, a chairperson, to chair the meetings of the Committee.

The Committee will conduct meetings consistent with the Committee's Procedural By-law.

INDIVIDUAL ROLES OF COMMITTEE MEMBERS

Committee members will represent the greater community.

Individual Committee members will:

- Strive to attend all scheduled meetings and advise in advance when unable to attend (to determine if there is going to be a quorum);
- Participate fully in the exchange of information and identification of issues of relevance to stakeholders;
- Consider ideas and issues raised and provide strategic guidance and input;
- Consider organizational implications and impacts of issues;
- Understand the strategic implications and outcomes of initiatives being pursued;
- Provide resources to the work of the group as necessary and appropriate (i.e., time, expertise, and information);
- Seek input from, and relay information to respective partners;
- Be genuinely interested in the initiatives and the outcomes being pursued;
- Perform their duties in a manner that maintains and enhances public confidence in the integrity, objectivity and impartiality of the Township;

- Adhere to the Municipal Conflict of Interest Act and clearly identify any items of pecuniary interest before they are discussed and refrain from discussing and voting on same;
- Not benefit from the use of information acquired during the course of official duties that is not generally available to the public;
- Be professional, courteous and respectful with other members, Council, staff and the general public. In doing so will not publicly criticize Elected Officials, staff or other members and respect the decisions of Committee and Council;
- Maintain confidentiality when necessary, and ensure personal information controlled by the Township is used or disclosed in compliance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA);
- Understand the Committee's relationship to Council;
- Prepare for meetings by reading agendas and any background information supplied and by actively participating in the discussion and decision-making process;
- Respect that actions taken and/or recommendations shall reflect the majority view of the committee.

A Committee member shall be deemed to have resigned their appointment if they are absent from 3 consecutive meetings without the prior consent of the Committee or unless they are absent for health reasons, in which case the continuation of their appointment shall be determined by Council

The success of the Recreation, Parks & Leisure Committee in achieving the noted objectives will be through partnership and collaboration.

RESPONSIBILITIES OF THE CHAIR

The Chair holds the following responsibilities:

- Conduct meetings consistent with the Committee's Procedural By-law;
- Facilitate the meeting by identifying the order of proceedings and speakers according to the published agenda;
- Maintain decorum and ensure fairness and accountability;
- Assist recording clerk when possible or when requested;
- Responsible for the preparation of the agenda;
- Represent the views of the committee and not personal views;
- Preside at all meetings of the Committee;
- Recess a meeting at any time for not more than 10 minutes;
- Adjourn the meeting when business is concluded;
- Adjourn the meeting, without question, in the case of grave disorder arising during the meeting.

If the Chair is absent for two (2) consecutive meetings through illness or otherwise, the committee may appoint an Acting Chair or a new Chair, as deemed appropriate. While presiding the Acting Chair shall have all the powers of the Chair.

RESPONSIBILITIES OF WELLINGTON NORTH MUNICIPAL STAFF REPRESENTATIVES

- Chief Administrative Officer (CAO) – Overall responsibility for the staff and operations of the Township. Provides strategic guidance on long-term planning initiatives to Committee and Council as well as overall leadership and direction. CAO approves all reports for Committee.
- Director of Operations – Overall responsibility for Roads, Water and Recreation services. Provides strategic guidance on long-term planning initiatives to Committee and Council as well as leadership and direction to the Recreation Management Team. Provides support to the Committee Chair and prepares reports for the Committee as required.
- Manager, Recreation Services – Manager has overall responsibility for recreation services operations including facility and park operations in partnership with Coordinator. Manager ensures appropriate information related to operations and capital is provided to the committee. Provides support to the Committee Chair and determines what other recreation staff should attend committee meetings. Prepares reports for the Committee as required.
- Community Recreation Coordinator – Coordinator has overall responsibility for recreational programs including aquatics in partnership with Manager. Coordinator takes a leadership role as it relates to gathering information required for agendas, coordinating delegations/deputations to committee, consults with the Committee Chair on meeting scheduling and agenda content. Provides support to the Committee Chair and prepares reports for the Committee as required.
- Clerk, Deputy Clerk or designate – Clerk provides administrative support in preparation and circulation of agenda, completes meeting minutes and ensure follow-up on staff direction or committee recommendations. Clerk posts agendas, minutes and meeting dates/times to the Township's website and ensures Committee procedures and practices are in compliance with the Committee's procedural by-law.

AUTHORITY

The Committee shall serve as an advisory body to Council, making recommendations to the Council of the Township of Wellington North on options regarding Parks and Recreation.

The committee shall be deemed to be a Committee of Council and shall adhere to any policies and procedures as provided for under the Municipal Act, 2001, as amended and the Township's Procedure By-law, and any other applicable

legislation. Where there is conflict between these Terms of Reference, the Municipal Act, 2001 or any other Act or Regulation governing the Committee, the Act shall prevail.

BUDGET

The Committee is not authorized to expend or commit municipal funds to the recommendation. Decisions made at Committee will be presented as a recommendation to the Council of the Township of Wellington North.

All Committee members are volunteer and will receive no remuneration for their time, outside of municipal employees.

REPORTING

The Committee shall report directly to Council under the signature of the Chair or designate. Meeting minutes are brought to Council for approval following the Committee meeting. The Committee may appear before Council as a delegation to present their final recommendation.

It is anticipated the Committee Chair will speak to Committee minutes at the Council meeting they are presented at.

MEETINGS

The Recreation, Parks and Leisure Committee will meet ten times per calendar year, observing a winter and summer break (no meeting in January and August). Meetings are scheduled the first Tuesday of the month from 8:30a.m. – 10:30a.m., at a Wellington North facility. Additional meetings will be at the call of the Chair.

Formal Agendas and Minutes will be posted on the Township website.

The Committee will conduct its meetings in public, in an accessible location.

GUIDING PRINCIPLES

The guiding principles articulate the core beliefs, values and overall direction that the Township of Wellington North and its partners should strive to achieve over time.

1. Opportunities for All: Foster community and individual wellbeing through accessible and inclusive leisure opportunities for people of all ages and abilities.
2. Meaningful Engagement & Communication: Effectively share information and involve residents in decisions impacting their community.
3. Working Together to Achieve Shared Goals: Engage and support volunteers and community partners in the coordinated delivery of initiatives that enhance public access to needed services and facilities.

4. Responsive Facilities, Parks & Trails: Provide a range of thoughtfully designed amenities that respond to demonstrated needs, with a view toward maximizing public access, utilization and sustainability.
5. Customer-Focused Services: Demonstrate accountability by upholding consistently high standards in customer service, programs and policies, and maintenance practices.
6. Commitment Toward Financial Sustainability: Provide value through the efficient use of resources, balanced application of user fees, integrated decision-making and pursuit of non-municipal funding sources.

[The remainder of this page intentionally left blank.]