

Minutes of a meeting of the Council of the City of Oshawa held in the Committee Meeting Room on January 28, 2008 at 3:30 p.m.

Mayor Gray and Councillors Cullen, Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki and Sholdra (left at 8:25 p.m.) were present.

Mayor Gray presided.

DECLARATIONS OF PECUNIARY INTEREST

Councillor Neal made a declaration of pecuniary interest concerning Item 4 of Finance and Administration Committee relating to Oshawa Power and Utilities Corporation, as his wife is employed by the OPUC Networks Inc. and did not participate in discussion or voting on the item.

PRESENTATIONS

None.

DELEGATIONS/DELEGATION REQUESTS

Delegations

None.

Delegation Requests

None.

CONFIDENTIAL CORRESPONDENCE REQUESTS

None.

ADDITIONAL AGENDA ITEMS/MOTIONS

None.

CLOSED MEETING CONSENT AGENDA

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri,
(28) “That Hans Jain be heard.” CARRIED

Moved by Councillor Nicholson, seconded by Councillor Pidwerbecki,
(29) “That all items listed under the heading of Consent Agenda for the January 28, 2008 closed meeting be adopted as recommended except Committee of the Whole Report CM-08-04 and the verbal report from the Political Strategy Team.” CARRIED

As a result of the above resolution, the following Consent Agenda items were adopted as recommended:

COMMITTEE REPORTS

Finance and Administration Committee

The Finance and Administration Committee respectfully reports and recommends to City Council its Twenty-fifth Report.

1. Application for Taxicab Driver Licence – Donald Joseph Arsenault (FA-07-213)
(All Wards)

Recommendation (CARRIED – See Page 20)

That the Director of Municipal Law Enforcement & Licensing Services be directed to deny the application for a Taxicab Driver Licence to Donald Arsenault.

2. Application for Taxicab Driver Licence – James Henry Nixon (FA-08-01)(All Wards)

Recommendation (CARRIED – See Page 20)

That the Director of Municipal Law Enforcement & Licensing Services be directed to issue James Henry Nixon a temporary six month taxicab driver licence conditionally on the terms as directed.

Moved by Councillor Nicholson, seconded by Councillor Pidwerbecki,
(30) “That pursuant to Section 239 of the Municipal Act this meeting be closed to the public to consider a proposed disposition of municipal land related to 100 Bond Street East; and, a potential aquisition of municipal land related to the Harbour.” CARRIED

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All Council members were present for closed meeting discussions. Also present were S. Kranc, City Clerk, B. Duignan, City Manager, R. Stockman, Commissioner, Corporate Services, T. Hodgins, Commissioner, Development Services, S. Bertoia, Commissioner, Community Services, D. Potts, City Solicitor, T. Adams, Director, Corporate Communications and Marketing, R. Foster, Auditor General, P. Stewart, Senior Planner, P. Ralph, Manager of Development and Urban Design, D. Tuley, Downtown Development Officer, and K. Bressan, Council Meeting Coordinator. All members of the public left the meeting.

Closed meeting discussions took place.

Moved by Councillor Lutczyk, seconded by Councillor Nicholson,
(31) “That Council rise from the closed meeting and report.” CARRIED

Closed Meeting Summary Report

The following is a summary of the closed portion of the meeting.

Hans Jain, Zoran Chanin and Kevin Majchrzak entered the meeting and discussed the disposition of City land at 100 Bond Street East.

The delegation left the meeting.

Closed meeting discussions continued.

Councillor Sholdra temporarily left the meeting.

The Political Strategy Team provided a verbal update concerning the potential transfer of Oshawa Harbour Lands.

This concludes the Closed Meeting Summary Report.

Moved by Councillor Kolodzie, seconded by Councillor Pidwerbecki,
(32) “That Council adopt the recommendations contained in Confidential Report CM-08-04 concerning the disposition of City land at 100 Bond Street East.” CARRIED

Moved by Councillor Marimpietri, seconded by Councillor Neal,
(33) “That the meeting recess.” CARRIED

The meeting recessed at 5:07 p.m. and reconvened at 6:30 p.m. in the Council Chamber. All Council members were present.

PUBLIC AGENDA

ANNOUNCEMENTS FROM COUNCIL MEMBERS

Councillor Parkes announced the scaffolding is up at the Regent Theatre and work on the façade is underway.

Mayor Gray announced Council budget meetings have been scheduled for Thursday, February 14, 2008 at 9 a.m., Friday, February 15, 2008 at 2:00 p.m. and Wednesday, February 20, 2008 at 2:00 p.m.

DECLARATIONS OF PECUNIARY INTEREST

None.

PRESENTATIONS

Certificates of Recognition were presented to citizens appointed by Council to serve on Boards and Committees whose terms of office have expired.

Lois Gillette, Oshawa Representative, Durham Environmental Advisory Committee, provided information concerning the 2008 Durham Environmental Achievement Awards advising the program is intended to recognize and acknowledge environmental achievements of individuals and organizations in the public, private and non-profit sectors within Durham Region. She advised nomination forms are available through the Region's Planning Department and on the Region's website and should be submitted by March 3, 2008.

DELEGATIONS/DELEGATION REQUESTS

Delegations

1. Victor Fiume, General Manager, The Durham Group, Past-President of Ontario Home Builders Association and of Durham Region Home Builders Association, requesting to address City Council in support of Committee of the Whole Report CM-08-02 concerning an increase in Building Permits and Inspection Fees. (All Wards)

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Delegation Requests

1. Cathy Coxhead, Chair, Downtown Oshawa Board of Management, requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
2. Peter Captsis, Pete's Open Kitchen, requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
3. Laura Vaillancourt, on behalf of Doug Wilson's Men's Wear, requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
4. Vivian Sled requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
5. Marissa Kata requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
6. Shelby Quashie, representing Earth Tones, requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
7. Joe and Anjali Bhola, representing Rheanna's, requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)
8. Jackie Simkin requesting to address City Council concerning the downtown Methadone Clinic. (Ward 2)

Moved by Councillor Neal, seconded by Councillor Sholdra,
(34) "That the delegations be heard at the appropriate time." CARRIED
(See Pages 23 and 41)

PUBLIC MEETING

In accordance with Section 7(6) of the *Building Code Act*, notice was provided of Council's intention to solicit the views of the public concerning proposed amendments to By-law 1-2006, as amended relating to Building Permit, Inspection and Administrative fee increases.

Victor Fiume, General Manager, The Durham Group, Past-President of Ontario Home Builders Association and of Durham Region Home Builders Association, addressed City Council in support of the new Building Permit and Inspection Fees identified in Report CM-08-02 stating he understood the increases are required to comply with Provincial Bill 124 which requires municipalities to issue permits on a fee for services basis to recover costs.

No one else in attendance requested to address City Council concerning proposed amendments to By-law 1-2006, as amended relating to Building Permit, Inspection and Administrative fee increases.

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ADDITIONAL AGENDA ITEMS/MOTIONS

1. Trueman Tuck, Tuck's Professional Services Inc., on behalf of ORH Corporation, requesting to address City Council in camera concerning Matters Tabled Item 11 with respect to Application 481 from Batch 2007-357-3. (All Wards)

Moved by Councillor Nicholson, seconded by Councillor Lutczyk,

(35) "That with respect to Matters Tabled 11 concerning Application 481, ORH Corporation for Cancellation, Reduction or Refund of Taxes related to Batch 2007 357-3, Trueman Tuck be invited to the Council meeting of February 19, 2008 in order that third party confidential financial information may be presented." CARRIED

CORRESPONDENCE REQUESTS

1. Marion Saunders, Chair, Lakeridge Health Board of Trustees, forwarding a resolution requesting Council support their 2008 Membership Campaign.

Moved by Councillor Marimpietri, seconded by Councillor Parkes, (All Wards)

(36) "That City Council endorse the Lakeridge Health 2008 Membership Campaign." CARRIED

2. Municipality of South Bruce, Debra Roth, Clerk, requesting the Provincial Government implement a Responsible Use Plan for urban pesticide use and not impose a ban on cosmetic pesticide use. (All Wards)

Moved by Councillor Kolodzie, seconded by Councillor Pidwerbecki,

(37) "That Correspondence Request 2 from the Municipality of South Bruce requesting the Provincial Government implement a Responsible Use Plan for urban pesticide use and not impose a ban on cosmetic pesticide use be received for information." CARRIED

3. Township of Brock, George Graham, Clerk-Administrator, forwarding Brock Council's request for support concerning their resolution advising the Ontario Ministry of the Environment and Ministry of Agriculture, Food and Rural Affairs of their interest and concern for the proposed changes to the regulatory framework for Non-Agricultural Source Material (NASM) and their wishes to be actively involved and consulted on these and any other proposed amendments relating to the regulation of NASM. (Ward 7)

Moved by Councillor Neal, seconded by Councillor Marimpietri,

(38) "That Correspondence Request 3 from the Township of Brock requesting support for their resolution concerning Non-Agricultural Source Material be referred to the Development Services Committee." CARRIED

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ADDITIONAL AGENDA ITEMS/MOTIONS (continued)

1. Durham District School Board, David Visser, Superintendent of Education/Facilities Services, Chair of School Valuation Framework Committee, requesting a representative from the City of Oshawa serve on the School Valuation Framework Committee. (All Wards)

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,

(39) "That Additional Correspondence Item 1 from the Durham District School Board requesting participation on the School Valuation Framework Committee be referred to the City Manager for appropriate handling." CARRIED

Moved by Councillor Parkes, Moved by Councillor Nicholson,

(40) "That City Council approve the new Building Permit and Inspection Fees identified in Attachment No. 1 to Report CM-08-02 dated January 28, 2008 and further that an appropriate amendment to By-law 1-2006 (Building Code Administration) be passed, including therein provisions to index the fees three percent annually." CARRIED

Moved by Councillor Parkes, seconded by Councillor Nicholson,

(41) "That whereas pursuant to the provisions of Subsection 3(1) of the *Building Code Act*, 1992, S.O. 1992, chapter 23, the Council of the Corporation of the City of Oshawa is responsible for the enforcement of the *Building Code Act* within the City of Oshawa; and,

Whereas Prabodh (Paul) Chandra was hired as a Building Inspector on July 4, 2006; and,

Whereas pursuant to the provisions of Subsection 3(2) of the *Building Code Act*, the Council shall appoint a chief building official and such inspectors as are necessary for the enforcement of the *Building Code Act* within the City of Oshawa;

Therefore By-law 101-83, as amended, and By-law 1-2006, as amended, be further amended to provide for the appointment of Prabodh Chandra as a Building Inspector." CARRIED

Moved by Councillor Nicholson, seconded by Councillor Parkes,

(42) "That the By-law listed on the Public Consent Agenda as 9-2008 concerning an amendment to the Council Procedural By-law 126-75 be withdrawn; and, a By-law to amend By-law Number 60-94, as amended, to lift the Holding 'h' provisions on lands located within Phase 4A of Draft Plan of Subdivision 18T-94025, located east of Wilson Road North and north of Greenhill Avenue be added to the Public Consent Agenda." CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,

(43) "That a motion concerning the Durham District Catholic School Board's Accommodation Review Committee be added to the public consent agenda." CARRIED (See Page 38)

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Moved by Councillor Parkes, seconded by Councillor Marimpietri,
(44) “That Additional Motion CM-08-08 concerning the First Step Methadone Clinic be added to the public consent agenda.” CARRIED (See Page 38)

PUBLIC CONSENT AGENDA

Moved by Councillor Nicholson, seconded by Councillor Parkes,
(45) “That all items listed under the heading of Consent Agenda for the January 28, 2008 public meeting be adopted as recommended except:

Items 4 and 10 of the Twenty-sixth Report of the Finance and Administration Committee;

Items 4, 7 and 8 of the Twenty-eighth Report of the Community Services Committee;

Item 2 of the First Report of the Accountability and Transparency Sub-committee;

Report CM-08-02;

By-law 7-2008;

Additional Motion concerning Durham District Catholic School Board’s Accommodation Review Committee; and,

Additional Motion CM-08-08 concerning the First Step Methadone Clinic.” CARRIED

ADOPTION OF MINUTES

“That the minutes of the December 17, 2007 and January 8, 2008 City Council meetings be adopted.” (CARRIED - See Page 26)

CORRESPONDENCE

Correspondence – Received and Filed

“That correspondence listed in Appendix A to the Public Agenda for the January 28, 2008 City Council meeting be received and filed.” (CARRIED - See Page 26)

Correspondence

31. Association of Municipalities of Ontario forwarding Membership Invoice 2008-M-10579 (All Wards)

Recommendation (CARRIED - See Page 26)

That Council authorize payment of the Association of Municipalities of Ontario Membership Invoice 2008-M-10579 in the amount of \$11,780.08 representing Oshawa’s membership fee for 2008.

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32. Ontario Good Roads Association forwarding Membership Invoice 37757.
(All Wards)

Recommendation (CARRIED - See Page 26)

That Council authorize payment of Ontario Good Roads Association Invoice 37757 in the amount of \$1,920.91 representing Oshawa's membership fee for 2008.

33. Patton Cormier & Associates, Steven Ross, Solicitor, forwarding a Notice of Appeal to the Ontario Municipal Board concerning an Application for a Zoning By-law amendment and concurrent Official Plan amendment to rezone to construct a shopping centre at the northeast corner of Harmony Road South and Bloor Street East and requesting the two matters be consolidated and a pre-hearing conference scheduled as soon as possible, Wellington Capital Corporation.
(Ward 3)

Recommendation (CARRIED - See Page 26)

That the Ontario Municipal Board appeal from Patton Cormier & Associates on behalf of Wellington Capital Corporation concerning Oshawa's failure to approve an Application for a Zoning By-law amendment to construct a shopping centre at the northeast corner of Harmony Road South and Bloor Street East; and, the appeal concerning Oshawa's failure to adopt a concurrent Official Plan amendment to redesignate the zoning concerning the same property from Residential and Special Purpose Commercial to Special Purpose Commercial with added special policy to permit retail uses, and requesting consolidation of the matters and a pre-hearing conference as soon as possible, be referred to staff.

COMMITTEE REPORTS

Report of the Development Services Committee

The Development Services Committee respectfully reports and recommends to City Council its Fortieth Report

1. Township of Scugog Official Plan Review, Downtown Development Strategy – Environmental Discussion Paper (DS-08-13)
(All Wards)

Recommendation (CARRIED - See Page 26)

That Correspondence DS-08-13 dated December 12, 2007 from Kim Coates, Clerk, Township of Scugog concerning the Township of Scugog Official Plan Review, Downtown Development Strategy – Environmental Discussion Paper be received for information.

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2. Proposed Durham Regional Official Plan Amendment – Implementation of Bill 51 (DS-08-05) (All Wards)

Recommendation (CARRIED - See Page 26)

1. That City Council endorse the comments contained in the report of the Commissioner of Development Services, DS-08-05 dated January 9, 2008, as the City's comments to the Region on the proposed Durham Regional Official Plan Amendment related to the implementation of Bill 51.
 2. That the Region be requested to include a provision in the Regional Mandatory Pre-consultation By-law that would require the Regional Planning Department to notify staff of the relevant area municipality of any pre-consultation meeting for applications involving lands within the area municipality and permit area municipal staff to attend the meeting.
 3. That a copy of the report of the Commissioner of Development Services, DS-08-05 dated January 9, 2008, be forwarded to the Region of Durham.
3. Revised Terms of Reference for the North Oshawa Residential Land Use Study (DS-08-06) (Ward 7)

Recommendation (CARRIED - See Page 26)

That, pursuant to Report DS-08-06 dated January 9, 2008, the Terms of Reference for the North Oshawa Residential Land Use Study approved by City Council on July 16, 2007 be revised as follows:

- (a) That the Public Open House and Report to the Development Services Committee and City Council at the end of the Background and Analysis Phases be combined with the Public Open House and report to the Development Services Committee and Council at the end of the Alternative Land Use and Zoning Approaches Phase.
 - (b) That the staff report to the Development Services Committee and Council on the Final Study Document during the Recommendation Phase not include for timing and logistical reasons, a summary of public input since the Public Open House is anticipated to be held the week before the Development Services Committee meeting.
4. Application for Removal of 'h' Holding Symbol, Draft Plan of Subdivision 18T-94025 (Phase 4A), east of Wilson Road North, north of Greenhill Avenue, FKT Co-Tenancy (DS-08-17) (Ward 7)

Recommendation (CARRIED - See Page 26)

Whereas on November 2, 1998, Council passed an amendment to Zoning By-law 60-94 (By-law No. 116-98) for FKT Co-Tenancy to implement draft plan of subdivision 18T-94025, east of Wilson Road North, north of Greenhill Avenue; and,

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Whereas the zoning by-law includes a holding symbol to ensure appropriate arrangements for the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development are included in a subdivision agreement which is executed; and,

Whereas a subdivision agreement has been executed by the subdivider;

Now therefore be it resolved that the 'h-14' holding symbol be removed by by-law from the R1-C(5), R1-D(1), and R1-E.Y4.5 zoning for Phase 4A of draft plan of subdivision 18T-94025 at the January 28, 2008, Council meeting.

5. Region of Durham 2008 Water Supply and Sanitary Sewerage Servicing and Financing Study (DS-08-01) (All Wards)

Recommendation (CARRIED - See Page 26)

1. That Commissioner's Report DS-08-01, dated January 9, 2008, be received for information;
 2. That the Region of Durham be requested to provide the opportunity and sufficient time in future years for area municipalities to provide comment on Regional Sewer and Water Servicing and Financing Studies prior to approving the related Capital Budget; and,
 3. That a copy of Report DS-08-01, dated January 9, 2008, and the related Council resolution be forwarded to the Region of Durham.
6. Regulation Proposal Notice on the Environmental Bill of Rights Registry Regarding an Improved Regulatory Framework for Non-Agricultural Source Material, EBR Registry Number 010 1436 (DS-08-08) (All Wards)

Recommendation (CARRIED - See Page 26)

That Report DS-08-08 dated January 9, 2008 from the Commissioner of Development Services, be received for information.

7. Proposed Sale of Airport Lands to 536813 Ontario Limited (DS-08-11) (Ward 4)

Recommendation (CARRIED - See Page 26)

1. That, pursuant to Report DS-08-11 dated January 9, 2008, the approximately 0.688 hectares (1.7 ac.) of land at the south west corner of Airport Boulevard and "New Street" and generally shown as Lot 7A on Exhibit No. 1 to said Report be declared potentially surplus to municipal requirements and unnecessary for the management, maintenance or operation of the Oshawa Municipal Airport and that staff be directed to advertise the disposition of the subject property.

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2. That, in the event no negative comments are received as a result of the advertisement, the subject property be declared surplus.
 3. That the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale subject to the terms as generally set out in Report DS-08-11 dated January 9, 2008 with 536813 Ontario Limited for approximately 0.688 hectares (1.7 ac.) of land shown as Lot 7A on Exhibit No. 1 to said Report and that the Agreement be in a form satisfactory to the City Solicitor.
 4. That the Purchaser be advised that, in the event the approval of the Airport Business Plan includes the sale of Lot 7B on Exhibit No. 1 to Report DS-08-11 dated January 9, 2008, it will be given the first opportunity to purchase the lot on terms and conditions acceptable to the City.
8. Potential allocation for Oshawa under the Canada-Ontario Affordable Housing Program (DS-08-34) (All Wards)

Recommendation (CARRIED - See Page 26)

1. That the Region of Durham be advised that the City of Oshawa wishes to be the willing host for the 29 units available under the Canada Ontario Affordable Housing Program subject to the identification of an appropriate project and site to the mutual satisfaction of the City and Region; and,
 2. That City staff work with the Region to identify an appropriate process to identify candidate projects and sites.
9. Application to Amend Zoning By-law 60-94; 191 Howden Road East and part of 3755 Simcoe Street North; Randy Hanthorn and Frank, Cotilda and Laura Mazzotta, and Powell 89 Acres Developments Inc. (DS-08-03) (Ward 7)

Recommendation (CARRIED - See Page 26)

That, pursuant to Report DS-08-03 dated January 9, 2008 and subject to no issues being raised at the public meeting, the application submitted by Randy Hanthorn and Frank, Cotilda and Laura Mazzotta and Powell 89 Acres Developments Inc. to amend Zoning By law No. 60-94 to delete a farm dwelling and a single detached dwelling as permitted uses on 191 Howden Road East and part of 3755 Simcoe Street North be approved.

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Report of the Finance and Administration Committee

The Finance and Administration Committee respectfully Reports and recommends to City Council its Twenty-sixth Report.

1. John Newell – Barrel Burning (FA-08-10)
 - (a) Wind and the Criminal Code of Canada
 - (b) The Chemical Violation of Julie Inwood
 - (c) Fireplaces

(All Wards)

Recommendation (CARRIED - See Page 26)

Whereas Barrel Burning is covered within an existing by-law;

It is therefore recommended that correspondence FA-07-10 (a), (b) and (c) be referred to staff.

2. Shirley Bain – Ten Dollar Fee Charged to Change Name and Address on Tax Roll (FA-08-11)

(All Wards)

Recommendation (CARRIED - See Page 26)

That Correspondence FA-08-11, dated December 6, 2007 from Shirley Bain expressing concern for the ten dollar fee charged to change the name and address on the tax roll be received for information and referred to staff.

3. Greg Milosh – Request to address Committee concerning the 2008 Budget (FA-08-12)

(All Wards)

Recommendation (CARRIED - See Page 26)

That Correspondence FA-08-12, dated January 11, 2008 from Greg Milosh requesting to address Committee concerning the 2008 Financial Budget be received for information.

4. Authority to Enter Into an Agreement for Electricity Procurement Services (FA-08-02)

(All Wards)

Recommendation (CARRIED - See Page 42)

That Report FA-08-02 dated December 13, 2007, Authority to Enter into an Agreement for Electricity Procurement Services, be approved as follows:

1. The Commodity Price Hedging Agreements: Statement of Policies and Goals for the City, as detailed in Attachment 1 be approved;
2. WattsWorth Analysis Inc. be authorized to act as an agent of the City to procure electricity supply and enter the City into one of its buying groups at a monthly fee estimated between \$1,000 and \$1,500, dependent upon the range of services required;

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3. The Treasurer or designate be authorized to enter into electricity purchase transactions, including approving any RFP's proposed by WattsWorth Analysis Inc., that meet the following requirements:

- The forward contract must be set at or below a price that allows the City to achieve savings equivalent to the Regulated Price Plan net of applicable rebates;
- The retailer shall be financially stable with a good credit rating preferably with assets in Ontario;
- The retailer's contract terms must be acceptable to the Treasurer; and
- The period of the contract shall not exceed two (2) years so that the City may re-evaluate procurement options as they arise;

4. The Mayor and Clerk be authorized to sign the following, in a form acceptable to the City Solicitor:

- A Commodity Price Hedging contract for procurement of electricity between the City and a licensed electricity retailer based on the lowest price obtained as per decision criteria identified in this report as proposed by WattsWorth Analysis Inc.;
- Documents and/or agreements required to give full force and effect to the Commodity Price Hedging contract; and
- Contracts between the City and WattsWorth Analysis Inc. for the purpose of electricity procurement.

5. Amendments to Records Retention By-law 45-2002 (FA-08-03) (All Wards)

Recommendation (CARRIED - See Page 26)

1. That the proposed amendments to Schedule 'A' of By-law 45-2002 as set out in the draft amending by-law attached to Report FA-08-03 be approved.
2. That the City Clerk be authorized to undertake any and all actions necessary to implement such amendments upon passage of the amending by-law.

6. Accounts for the Month of November 2007 (FA-08-05) (All Wards)

Recommendation (CARRIED - See Page 26)

That Report FA-08-05, Accounts for the Month of November 2007, dated January 3, 2008, be received for information.

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7. Summary of Contracts Awarded During the Period November 1, 2007 to December 31, 2007 (FA-08-06-CM) (All Wards)

Recommendation (CARRIED - See Page 26)

That Report FA-08-06-CM dated January 7, 2008, 'Summary of Contracts Awarded during the Period November 1, 2007 to December 31, 2007' be received for information.

8. Request for Waiving of Fees – City of Oshawa Employees United Way Committee (FA-08-07) (All Wards)

Recommendation (CARRIED - See Page 26)

1. That the request for waiving of fees totaling \$450 for the City of Oshawa Employees United Way Committee as outlined in Report FA-08-07 be approved as it meets all the criteria established within the Request for Waiving of Fees Policy;
2. That all peddlers operating on behalf of the City of Oshawa United Way Committee be exempted from obtaining a peddler's licence in 2008 and subsequent years; and
3. That the fee for the short term food license for the annual BBQ Kick-off for the City of Oshawa United Way campaign be waived in 2008 and subsequent years.

9. Request for Waiving of Fees – South Oshawa Community Day (FA-08-08) (All Wards)

Recommendation (CARRIED - See Page 26)

That the request for the waiving of fees up to \$500 for the South Oshawa Community Day as outlined in Report FA-08-08 dated January 9, 2008 be approved as it meets all the criteria established within the Request for Waiving of Fees Policy, and that all subsequent requests in future years of up \$500 for the South Oshawa Community Day be approved.

10. Surcharge for Hockey Games and Concerts at the General Motors Centre (FA-08-13) (All Wards)

Recommendation (CARRIED - See Page 42)

That Motion FA-08-13 concerning a Surcharge for Hockey Games and Concerts at the General Motors Centre be referred to the 2008 budget session and staff be directed to provide advice as to what level the surcharge for games and concerts could be increased.

Report of the Community Services Committee

The Community Services Committee respectfully reports and recommends to City Council its Twenty-eighth Report.

1. Michael Christie – Pesticide Ban (CS-08-07) (All Wards)

Recommendation (CARRIED - See Page 26)

That Correspondence CS-08-07 dated December 23, 2007 from Michael Christie submitting various articles concerning Kingston, Ontario's ban on the use of pesticides be received for information.

2. Pitch-In Canada – Request for Patron or Supporter of Pitch-In Ontario (CS-08-08) (All Wards)

Recommendation (CARRIED - See Page 26)

Whereas City Council has in the past supported the Pitch-In Canada Program;

It is therefore recommended that City Council support the 2008 Pitch-In Canada Week, April 21 to 27, 2008, and purchase a membership in Pitch In Ontario, at a cost of \$1,000.

3. Jack McGinnis, Chair, Durham Sustain Ability – Yellow Fish Program in Oshawa (CS-08-11) (All Wards)

Recommendation (CARRIED - See Page 26)

That Correspondence CS-08-11 dated January 8, 2008 from Jack McGinnis, Chair, Durham Sustain Ability requesting support of the Council of the City of Oshawa in the delivery of their Yellow Fish program be referred to staff for response.

4. Roller Sports Canada - Request for the Children's Arena to be Converted into a Multi-sport Complex (CS-08-10) (Ward 4)

Recommendation (AMENDED - See Page 43)

That staff send a letter to Roller Sports Canada clarifying that the Children's Arena is retaining its ice usage.

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5. Proposed Parking Regulation Changes on Sheridan Street, Ryerson Crescent, Canadore Crescent and Conestoga Court (CS-08-01) (Ward 7)

Recommendation (CARRIED - See Page 26)

1. That based on Report CS-08-01 dated January 3, 2008, that Traffic By-law 79-99, as amended, be further amended to prohibit parking on both sides of Sheridan Street, Ryerson Crescent, Canadore Crescent, and Conestoga Court, from 8:00 a.m. to 5:00 p.m., Monday to Friday inclusive; and,
2. That a copy of this report be sent to the street resident representatives.

6. Harmony Creek Trail Pedestrian Bridge (CS-08-04) (Ward 6)

Recommendation (CARRIED - See Page 26)

That based on Report CS-08-04 dated January 2, 2008, the pedestrian bridge located on the Harmony Creek Trail near Cricklewood Drive be removed.

7. Traffic Safety Concerns at the Intersection of Farewell Street and Taylor Avenue (CS-08-02) (Ward 3)

Recommendation (CARRIED - See Page 43)

1. That based on Report CS-08-02 dated January 3, 2008, Traffic By-law 79-99, as amended, be further amended to implement all-way stop control at the intersection of Farewell Street and Taylor Avenue; and,
2. That Traffic By-law 79-99, as amended, be further amended to extend the existing 40 km/h speed zone on Farewell Street northerly to King Street and southerly to Taylor Avenue; and,
3. That a copy of this report be sent to the resident representatives.

8. Supplementary Information to Report CS-07-223 Tree Ownership, 408 Mary Street North (November 16, 2007) Tree Condition Reports and Removal/Pruning Cost Estimates, 406 and 408 Mary Street North (CS-08-06) (Ward 5)

Recommendation (CARRIED - See Page 43)

Whereas 75 years ago the City of Oshawa planted basswood trees at 406 and 408 Mary Street North; and,

Whereas, notwithstanding the City of Oshawa does not prune or remove trees on private property;

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Now therefore be it resolved that the City of Oshawa cover the entire cost to remove the trees on both properties; and,

That the homeowners obtain three quotes for the tree removal.

Report of the Strategic Initiatives Committee

None.

COMMITTEE OF THE WHOLE REPORTS

Accountability and Transparency Sub-Committee

The Accountability and Transparency Sub-Committee respectfully reports and recommends to City Council its First Report.

1. Garry Cubitt, CAO, Region of Durham – Ethics (ATSC-08-04) (All Wards)

Recommendation (CARRIED - See Page 26)

That Correspondence ATSC-08-04 dated November 28, 2007 from Garry Cubitt, Chief Administrative Officer, Region of Durham attaching a copy of the recent report which went to Regional Council on the subject of Ethics be received for information.

2. Bill 130 – A Review of Oshawa’s Agencies, Boards and Sub-Committees (ATSC-08-02) (All Wards)

Recommendation (CARRIED - See Page 43)

1. That City Council receive Report ATSC-08-02 dated January 11, 2008 entitled ‘Bill 130 – A Review of Oshawa’s Agencies, Boards and Committees’ for information; and,
2. That Legal Services advise the City’s local boards of their respective legal obligations pursuant to the Municipal Act.

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3. Outstanding Items Status Report (ATSC-08-07) (All Wards)

Recommendation (CARRIED - See Page 26)

Whereas Phase 1 of the Accountability and Transparency Sub-Committee's mandate concerning Bill 130 has been completed;

Therefore, be it resolved that Items 1 to 9 be removed from the Accountability and Transparency Sub-Committee's Outstanding Items Status Report; and

That staff continue to monitor the items approved by Council that do not relate to Bill 130.

Committee of the Whole Report

1. Tom Hodgins, Commissioner of Development Services, submitting Report CM-08-02 concerning Building Permits and Inspection Fees (All Wards)

Recommendation (See Page 25)

That the proposed Building Permit and Inspection Fees outlined in Report CM-08-02 dated January 23, 2008 be referred back to the Development Services Department for a final recommendation.

MOTIONS

"That the City of Oshawa proclaim:

February 2008 as 'Heart Month';

February 18 to 24, 2008 as 'Heritage Week';

April 14 to April 18, 2008 as 'Kiwanis Music and Theatre Festival Week';

May 2008 as 'Hearing Awareness Month'; and,

June 13, 2008 as 'Saint-Jean-Baptiste Day' and a flag-raising ceremony be held in the Civic Square on Friday June 13, 2008 at 11:00 a.m. and the Franco-Ontarian flag be flown at City Hall on that day." (CARRIED - See Page 26)

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“Whereas the Durham District Catholic School Board’s Accommodation Review Committee (ARC) has at its January 16, 2008 Working Meeting considered point 8. ‘As boundaries of Whitby have moved West and North, consider moving French Immersion closer to the Oshawa/Whitby border or to its own school – i.e. to St. Michael’s,’ and;

Whereas the ARC has recommended at Point 22 that their French Immersion Program be moved to St. Michael C.S. if ‘busing can be resolved with the City’;

Be it resolved that staff of Community Services Department investigate this issue and report back to Council through the Community Services Committee.” CARRIED (See Page 44)

“Whereas First Step Methadone clinic is a private for-profit methadone clinic located in the heart of the downtown Oshawa pedestrian shopping district and is estimated to serve between 450 and 600 patients (daily, weekly, monthly); and,

Whereas First Step Methadone Clinic operates under the authority of the provincial government without appropriate standards or regulations, and without needed oversight and monitoring; and,

Whereas private, for-profit methadone clinics have been the subject of a provincial inquest due to the increasing number of incidents which have negatively impacted the community and have aided serious safety concerns for their patients and their families; and,

Whereas the most appropriate location according to best practices would be a location that ensures patient privacy, protects public safety and is not detrimental to other partners within the community;

Therefore be it resolved:

- A. In response to Report CM-07-64 directing that a staff delegation meet Ministry and Provincial officials to develop tools to allow municipalities to reunite clinics like the First Step Methadone Clinic (Loralgia Management Limited) 32 Simcoe Street South, Council provides the following direction:
 1. That this motion is referred to the Community Safety Committee for their review and that the Community Safety Committee be invited to forward any relevant information or comment to City staff for inclusion in the briefing note to be presented to the Province of Ontario; and,
 2. That a subcommittee of Council, chaired by the Chair of the Development Services Committee, and including the Commissioner of Development Services (or designate) and the Downtown Development Officer be established to meet with interested parties in the downtown on this issue and report back to City Council; and,

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3. That in the event that the Downtown Oshawa Business Improvement Area Board hosts a meeting on this issue, that the subcommittee attend to assist Council in understanding the concerns of meeting participants. Interested Members of Council are also encouraged to attend and participate in the meeting; and,
 - B. That the Council of the City of Oshawa encourage the Minister of Health and Long-Term Care to ensure that the residents of our City have a public opportunity to express their views on this matter to his staff, and to the Methadone Maintenance Program Taskforce or its successors.

Be it further resolved:

A copy of this motion is sent to the attention of the following:

The Honourable Jim Flaherty, MP
701 Rossland Road East
Unit 204
Whitby, Ontario L1N 8Y9

Colin Carrie, MP
Lord Simcoe Place
57 Simcoe Street S., Suite 2B
Oshawa, Ontario L1H 4G4

Jerry Ouellette, MPP
170 Athol Street East
Oshawa, Ontario L1H 1K1

Christine Elliott, MPP
101-114 Dundas Street East
Whitby, Ontario L1N 2H7.” CARRIED
(See Page 44)

BY-LAWS

That By-laws 5-2008 to 11-2008 be passed.

- 5-2008 A By-law to adopt Amendment 132 to the Oshawa Official Plan.
(Implements direction of December 17, 2007, through Item 21 of the Thirty-ninth Report of the Development Services Committee to redesignate certain lands from Residential to Open Space and Recreation to permit a future expansion of Union Cemetery at 720 King Street West and to redesignate certain lands from Special Purpose Commercial to Open Space and Recreation to preserve a wooded area for public open space uses on the west side of Wilson Road North, north of Trowbridge Park.) (Wards 2 and 5)
(CARRIED – See Page 26)

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- 6-2008 A By-law to amend Zoning By-law 60-94.
(Implements direction of December 17, 2007, through Item 21 of the Thirty-ninth Report of the Development Services Committee to amend Zoning By-law 60-94 and rezone certain lands and to implement certain City-initiated amendments.) (All Wards)
(CARRIED – See Page 26)
- 7-2008 A By-law to Amend Traffic By-law 79-99.
(Implements direction of January 28, 2008 through Items 5 and 7 of the Twenty-eighth Report of the Community Services Committee to provide for No Parking on both sides of Sheridan Street, Ryerson Crescent, Canadore Crescent and Conestoga Court from Monday to Friday from 8:00 a.m. to 5:00 p.m.; and, to provide for all-way stop control at Farewell Street and Taylor Avenue; and, to provide for a maximum rate of speed of 40 km/h on Farewell Street between King Street East and Taylor Avenue.)
(CARRIED – See Page 44) (Wards 3 and 7)
- 8-2008 A By-law to remove Part Lot Control.
(Implements direction of July 17, 2006 through Item 19 of the Thirty-fourth Report of the Development Services Committee to create two lots for single detached dwellings described as Part 1 and Part 2 to Plan 40R-25133 at 942 King Street East, I. Brown.) (Ward 3)
(CARRIED – See Page 26)
- 9-2008 A By-law to amend By-law 60-94 as amended.
(Implements direction of January 28, 2008 through Item 4 of the Fortieth Report of the Development Services Committee to lift the ‘h’ provisions on lands located within Phase 4A of Draft Plan of Subdivision 18T-94025 located east of Wilson Road North and north of Greenhill Avenue, FKT Co-Tenancy.) (Ward 7)
(CARRIED – See Page 26)
- 10-2008 A By-law to amend By-law 101-83 as amended.
(Implements direction of January 28, 2008 through Council Resolution to provide for the appointment of Prabodh (Paul) Chandra as a by-law enforcement officer for the purpose of enforcing the by-laws of the City.)
(CARRIED – See Page 26) (All Wards)
- 11-2008 A by-law to amend the Building By-law as amended.
(Implements direction of January 28, 2008 through Council Resolution to provide for the appointment of Prabodh (Paul) Chandra for the enforcement of the *Building Code Act* within the City.) (All Wards)
(CARRIED – See Page 26)

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Cathy Coxhead, Chair, Downtown Oshawa Board of Management, addressed City Council in opposition to a methadone clinic in the downtown area stating the location of First Step Methadone Clinic is inappropriate and not conducive to the rebuilding of the downtown. She requested the exterior of the building be cleaned-up, a security officer be required to ensure clients are not loitering at the front of the building and on the sidewalk, and that the clinic's clients enter and exit at the rear of the building. Cathy Coxhead inquired as to what type of monitoring there is to ensure the Clinic complies with the recommendations made by the Coroner and Ministry of Health and Long-Term Care regulations. She stated downtown merchants have watched the methadone clinic's clients create a 'social pocket' along the street and develop into an organized group. Cathy Coxhead requested a meeting with Council to further discuss this issue.

Councillor Nicholson temporarily left the meeting.

Peter Captsis, Owner, Pete's Open Kitchen, addressed City Council in opposition to a methadone clinic in the downtown area stating he has encountered problems such as vandalism, broken glass, drug deals, and obstruction of the entrance to his restaurant caused by some of the clients attending First Step Methadone Clinic. Peter Captsis advised he knew the Clinic was there before he opened his restaurant but did not anticipate these problems. Peter Captsis requested Council act to clean up the area around First Step Methadone Clinic of debris and people, advising in the past he has handled this problem himself but would now like some assistance.

Council members questioned Peter Captsis.

Laura Vaillancourt was not in attendance to address City Council.

Vivian Sled addressed City Council in opposition to a methadone clinic in the downtown area stating it is an inappropriate location and does not enhance the downtown area because of the rude and loud antics of some of the Clinic's clients. She stated she supports the service provided by methadone clinics and inquired if First Step Methadone Clinic is providing comprehensive treatment for patients to rebuild their lives so they can contribute to the community in the future, or is the Clinic monitored only when there is a death or serious complaint. Vivian Sled inquired if the Ontario Methadone Maintenance Treatment Task Force (OMMTTF) has been contacted to assist Oshawa with this problem adding she has researched that the integration of methadone clinics in business areas has not been successful. She suggested a security officer be required at the front of the clinic to maintain order, adding she has been inside the Clinic and on those occasions it has been filled to capacity with no place to sit. She stated she believes City Council has an obligation to the community and to First Step Methadone Clinic's clients to ensure it is properly run and is assisting clients to develop healthy lifestyles, and urged Council members to contact the OMMTTF to assist with this issue.

Councillor Nicholson re-entered the meeting and Councillor Neal temporarily left the meeting.

Council members questioned Vivian Sled.

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Marissa Kata was not in attendance to address City Council.

Shelby Quashie was not in attendance to address City Council.

Joe and Anjali Bhola were not in attendance to address City Council.

Jackie Simkin was not in attendance to address City Council.

Councillor Neal re-entered the meeting.

DISCUSSION AGENDA

MATTERS EXCLUDED FROM CONSENT AGENDA

Moved by Councillor Lutczyk, seconded by Councillor Kolodzie,
(46) “That Council adopt Item 4 of the Twenty-sixth Report of the Finance and Administration Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Henry, Kolodzie, Lutczyk, Marimpietri, Nicholson, Parkes, Pidwerbecki, Sholdra and Mayor Gray

NEGATIVE – None

Declarations of Pecuniary Interest – Councillor Neal

Absent – None

Moved by Councillor Lutczyk, seconded by Councillor Kolodzie,
(47) “That Council adopt Item 10 of the Twenty-sixth Report of the Finance and Administration Committee.” CARRIED BY LATER VOTES

The motion was divided upon request to vote on referral to the 2008 budget session separately from staff providing advice.

The vote to refer Item 10 of the Twenty-sixth Report of the Finance and Administration Committee to the 2008 budget CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Henry, Kolodzie, Lutczyk, Neal, Pidwerbecki and Sholdra

NEGATIVE – Councillors Cullen, Marimpietri, Nicholson, Parkes and Mayor Gray

Absent – None

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The vote to direct staff to provide advice concerning Item 10 of the Twenty-sixth Report of the Finance and Administration Committee CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Henry, Kolodzie, Lutczyk, Neal, Pidwerbecki and Sholdra

NEGATIVE – Councillors Cullen, Marimpietri, Nicholson, Parkes and Mayor Gray

Absent – None

Moved by Councillor Kolodzie, seconded by Councillor Cullen,
(48) “That Council adopt Item 4 of the Twenty-eighth Report of the Community Services Committee.” CARRIED AS AMENDED BY THE FOLLOWING MOTION

Moved by Councillor Parkes, seconded by Councillor Nicholson,
(49) “That Item 4 of the Twenty-eighth Report of the Community Services Committee be amended by adding ‘and that the Request for Proposal is active with respect to the Civic Auditorium and Roller Sports Canada may be able to share the facility with another organization’.” CARRIED

Item 4 of the Twenty-eighth Report of the Community Services Committee CARRIED AS AMENDED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Lutczyk, Neal, Nicholson, Parkes, Pidwerbecki, Sholdra and Mayor Gray

NEGATIVE – Councillors Henry, Kolodzie and Marimpietri

Absent - None

Moved by Councillor Kolodzie, seconded by Councillor Cullen,
(50) “That Council adopt Item 7 of the Twenty-eighth Report of the Community Services Committee.” CARRIED

Moved by Councillor Kolodzie, seconded by Councillor Cullen,
(51) “That Council adopt Item 8 of the Twenty-eighth Report of the Community Services Committee.” CARRIED

Moved by Councillor Nicholson, seconded by Councillor Parkes,
(52) “That Council adopt Item 2 of the First Report of the Accountability and Transparency Sub-committee.” CARRIED

Moved by Councillor Neal, seconded by Councillor Nicholson,
“That the meeting recess.” LOST

Moved by Councillor Kolodzie, seconded by Councillor Henry,
(53) “That Report CM-08-02 be received for information.” CARRIED

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Moved by Councillor Nicholson, seconded by Councillor Parkes,
(54) “That Council pass By-law 7-2008.” CARRIED

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(55) “That Council adopt the additional motion concerning the Durham District Catholic School Board’s Accommodation Review Committee.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki, Sholdra and Mayor Gray

NEGATIVE – None

Absent - None

MATTERS TABLED

Moved by Councillor Parkes, seconded by Councillor Nicholson,
(56) “That Item 9 of Matters Tabled concerning the First Step Methadone Clinic be lifted.” CARRIED

The following motion was now before Council:

“That a staff delegation meet Ministry and Provincial officials to develop tools to allow municipalities to regulate methadone clinics related to Report CM-07-64.”

Councillors Parkes and Sholdra withdrew the motion related to Report CM-07-64 concerning the methadone clinic.

Moved by Councillor Parkes, seconded by Councillor Marimpietri,
(57) “That Council adopt Additional Motion CM-08-08 concerning the methadone clinic.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Henry, Kolodzie, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki, Sholdra and Mayor Gray

NEGATIVE – None.

Absent – None.

Councillor Sholdra left the meeting

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Moved by Councillor Cullen, seconded by Councillor Nicholson,

(58) “That Item 8 of Matters Tabled being Item 1 of the Seventeenth Report of the Finance and Administration Committee concerning the City’s stock of rental housing properties being sold be lifted.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Henry, Marimpietri, Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – Councillors Kolodzie, Lutczyk and Neal

Absent – Councillor Sholdra

The following motion was now before Council:

“That approval be sought from CMHC to dispose of the City’s stock of rental housing properties on the open market as described in Option 3 of Report FA-07-175 dated October 10, 2007.”

Moved by Councillor Neal, seconded by Councillor Lutczyk,

(59) “That Item 1 of the Seventeenth Report of the Finance and Administration Committee concerning rental housing be referred back to the Finance and Administration Committee.” CARRIED

Moved by Councillor Parkes, seconded by Councillor Cullen,

(60) “That Items 3 and 5 of Matters Tabled concerning Project Clean Sweep and a Community Policing Centre for North Oshawa, respectively, be lifted from the table and referred to the Community Safety Committee.” CARRIED

Moved by Councillor Cullen, seconded by Councillor Henry,

(61) “That the meeting recess.” CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Henry, Lutczyk, Marimpietri, Neal, Nicholson, Parkes, Pidwerbecki and Mayor Gray

NEGATIVE – Councillor Kolodzie

Absent – Councillor Sholdra

The meeting recessed at 8:47 p.m. and reconvened at 9:05 p.m. All Council members were present except Councillor Sholdra.

Moved by Councillor Nicholson, seconded by Councillor Kolodzie,

(62) “That Item 6 of Closed Matters Tabled concerning the Oshawa Harbour be lifted and referred to the public session.” CARRIED

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The following motion was now before Council:

“That staff be directed to enter into a consultancy agreement with Fleishman Hillard Canada Inc. for a maximum expenditure of \$500,000.”

Councillors Nicholson and Pidwerbecki withdrew the motion concerning a consultancy agreement with Fleishman Hillard Canada Inc.

Moved by Councillor Nicholson, seconded by Councillor Pidwerbecki,
(63) “That Council approve Motion CM-08-06 as follows:

1. That staff be authorized to enter into a communications agreement with Fleishman Hillard Canada Inc. for up to \$500,000;
2. That the requirements of the Purchasing By-law be waived to advance the communications agreement and further that the agreement include protection which allows the City to limit its expenditures and financial obligations at various milestones and to reasonably cancel the contract at any time.
3. That the Fleishman Hillard Canada Inc. work program be undertaken in two (2) phases as follows:
 - a) Phase 1 at a cost of \$134,675 (excluding taxes) with work to be implemented immediately; and,
 - b) Phase 2 at a cost of \$385,325 (excluding taxes) with work to be implemented upon receipt and consideration of the Crombie Report by Council and with Council’s endorsement;
4. That Council, through the Political Strategy Team, assume a community leadership role to advance harbour initiatives.” PARTS 1, 2 AND 3(a) CARRIED; PARTS 3(b) and 4 LOST

The motion was divided on request to vote on Parts 1, 2 and 3(a) separately from Parts 3(b) and 4.

Moved by Councillor Henry, seconded by Councillor Lutczyk,
“That Council table Part 3(b) of the motion until the Crombie Report is received concerning the communications agreement.” LOST ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Henry, Lutczyk, Neal and Parkes

NEGATIVE – Councillors Cullen, Kolodzie, Marimpietri, Nicholson, Pidwerbecki and Mayor Gray

Absent – Councillor Sholdra

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Parts 1, 2 and 3(a) of the motion concerning the communications agreement CARRIED ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Henry, Kolodzie, Nicholson, Pidwerbecki and Mayor Gray

NEGATIVE – Councillors Lutczyk, Marimpietri, Neal and Parkes

Absent – Councillor Sholdra

Parts 3(b) and 4 of the motion concerning the communications agreement LOST ON THE FOLLOWING VOTE

AFFIRMATIVE – Councillors Cullen, Kolodzie, Nicholson, Pidwerbecki and Mayor Gray

NEGATIVE – Councillors Henry, Lutczyk, Marimpietri, Neal and Parkes

Absent – Councillor Sholdra

NOTICES OF MOTION

Councillor Nicholson gave notice of the following motion:

“That Council give its commitment to Oshawa Ice User Groups that it will consult with ice users and with members of the public in a public meeting prior to any decision on any proposal to remove or modify ice use at Children’s Arena and Harman Arenas, and this motion be referred to the Community Services Committee.”

CONFIRMING BY-LAW

Moved by Councillor Nicholson, seconded by Councillor Parkes,
(64) “That the Confirming By-law be passed.” CARRIED

12-2008 A By-law to confirm the City Council meeting of January 28, 2007.

ADJOURN

Moved by Councillor Cullen, seconded by Councillor Lutczyk,
(65) “That the meeting adjourn.” CARRIED

The meeting adjourned at 10:05 p.m.

Minutes adopted this 28th day of January, 2008

Mayor

APPENDIX A
CITY COUNCIL MINUTES
January 28, 2008

For your information, the following correspondence received by the City Clerk was filed following City Council's meeting of January 28, 2008:

1. City of Winnipeg, Jeannine Stotski, Office Manager, Mayor's Office, thanking Oshawa Council for forwarding their resolution in support of the Large Urban Mayor's Caucus of Ontario's resolution to the Federal government requesting long-term and sustainable infrastructure funding for municipalities. (All Wards)
(At their meeting of December 17, 2007 Oshawa City Council supported LUMCO's (Large Urban Mayors' Caucus of Ontario) resolution to the Federal Government requesting long-term and sustainable infrastructure funding for municipalities.)
(CARRIED - See Page 26)
2. Town of Whitby, Martha Pettit, Deputy Clerk, forwarding Whitby Town Council's endorsement of Regional Council's request to the Federal and Provincial governments to provide entitlement based funding for the Federal Government's Building Canada Infrastructure Fund in support of the Association of Municipalities of Ontario position for predictable long term infrastructure funding for municipalities, and forwarding Report 2007-F-81 of the Regional Commissioner of Finance. (All Wards)
(CARRIED - See Page 26)
3. Municipality of Clarington, Patti Barrie, Clerk, forwarding Clarington Council's endorsement of Regional Council's request to the Federal and Provincial governments to provide entitlement based funding for the Federal Government's Building Canada Infrastructure Fund in support of the Association of Municipalities of Ontario position for predictable long term infrastructure funding for municipalities. (All Wards)
(CARRIED - See Page 26)
4. Regional Municipality of Durham, Susan Siopis, Director, Transportation and Field Services, forwarding correspondence to J. Reinkoester advising the Region has no policy or funding in place to address such situations as traffic noise on Ritson Road. (Wards 5 and 7)
(CARRIED - See Page 26)
5. BOOST: Child Abuse Prevention and Intervention, Karyn Kennedy, Executive Director, and Siew Lee Brett, Coordinator, Fundraising and Special Events, forwarding a Certificate of Appreciation for Oshawa Council's support for their 'Go Purple for Prevention' 2007 campaign and their Newsletter, Vol. 3 December 2007. (All Wards)
(CARRIED - See Page 26)

6. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding Regional Council's resolution to Premier Dalton McGuinty endorsing Oshawa Council's resolution in support of Project Black Ribbon for Mental Health.
(CARRIED - See Page 26) (All Wards)
7. Regional Municipality of Durham, P.M. Madill, Regional Clerk, forwarding Regional Council's resolution advising of the imposition of the 2008 Interim Regional Property Tax Levy for all property tax classes; and advising the amount due from each area municipality is equivalent to 50 percent of their respective share of the Regional Property Taxes collected in 2007 to be paid seven days subsequent to the instalment due dates established by each area municipality for the collection of their respective interim municipal property taxes; and authorizing preparation of the requisite by-laws.
(CARRIED - See Page 26) (All Wards)
8. Regional Municipality of Durham, Nestor Chornobay, Director, Strategic Planning Branch, forwarding Regional Commissioner of Planning's Report 2007-P-92 to advise of an update to the status of the Region's Growth Plan Implementation Study and advising Phase 1 has been completed, Phase 2 is well underway and responses from agencies and the public are requested by February 11, 2008 with a view to project completion in the fall of 2008, and in anticipation of the Province's mapping of a built boundary for Durham Region.
(CARRIED - See Page 26) (All Wards)
9. Bill Longworth forwarding correspondence dated December 18, 19 and 30, 2007 and January 4, 8, and 10, 2008, respectively, all in support of his position that Oshawa's November 2007 election ballot question resulting in a change from a ward-based system of election to general vote system was undemocratic and monies should have been spent to inform the public about the ballot question prior to the election and opposing the City's participation in the LivCom Awards.
(CARRIED - See Page 26) (All Wards)
10. Regional Municipality of Durham, Sarah White, Accessibility Co-ordinator, Office of the Regional Chair and Chief Administrative Officer, forwarding their 2007 Durham Region Accessibility Report and 2008 Accessibility Plan.
(CARRIED - See Page 26) (All Wards)