

Minutes of a meeting of the Council of the City of Oshawa held in the Council Chamber on January 28, 2019 at 3:30 p.m.

Mayor Carter and Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal and Nicholson were present.

Mayor Carter presided.

Closed Meeting

Additional Closed Items

None.

Declarations of Pecuniary Interest

None.

Closed Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Kerr, (92) “That all items listed under the heading of Closed Consent Agenda for the City Council meeting dated January 28, 2019 be adopted as recommended.” Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, Nicholson and Mayor Carter

Negative – Councillors McConkey and Neal

Absent – None

Closed Correspondence

None.

Closed Standing Committee Reports

Report of the Community Services Committee

None.

Report of the Corporate Services Committee

None.

Report of the Development Services Committee

None

Report of the Finance CommitteeFIN-19-10 Assessment Appeal Settlement

Closed pursuant to the Section 239(2) (e) and (f) of the Municipal Act

Recommendation (Carried – See Page 38)

That Council approve the counter-offer to the General Motors proposal as outlined in report FIN-19-10 dated January 22, 2019 and that the Treasurer be authorized to execute documents to give effect to the settlement in a form acceptable to the City Solicitor.

Closed Staff Reports/Motions

None

Discussion Agenda**Matters Excluded from Consent Agenda**

None.

Items Requiring Action

None

Presentations

Moved by Councillor Chapman, seconded by Councillor Giberson, (93) “That pursuant to Section 239(2)(d) of the Municipal Act related to labour relations and employee negotiations, this meeting be closed to the public in order to receive a verbal update from the Executive Director, Human Resource Services concerning collective bargaining with the International Association of Fire Fighters Local 465.” Carried

All Council members were present for the closed meeting. Also present were A. Brouwer, City Clerk; J. Sharma, City Manager; S. Yoon, Interim City Solicitor; S. Sinnott, Commissioner, Finance Services/Treasurer; R. Diskey, Commissioner, Community Services Department; T. Adams, Commissioner Corporate Services Department; V. Sukdeo, Executive Director Human Resource Services; and M. Medeiros, Manager, Support Services.

All other staff and members of the public left the meeting.

Council went into closed session at 3:35 p.m.

Closed meeting discussions were held.

Councillor McConkey temporarily left. and re-entered the meeting.

Moved by Councillor Chapman, seconded by Councillor Gray,
(94) "That Council rise from the closed meeting and report." Carried

Closed Meeting Report

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

Moved by Councillor Nicholson, seconded by Councillor Neal,
"That a written copy of the Human Resources presentation be provided prior to the presentation." Lost by later vote

Moved by Councillor McConkey, seconded by Councillor Neal,
"That the motion be amended to add: 'and that the written copy of the Human Resources presentation not have a watermark.'" Lost on the following vote

Affirmative – Councillors Marimpietri, McConkey, Neal and Nicholson

Negative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marks and Mayor Carter

Absent – None

The vote on the motion Lost.

The Executive Director, Human Resource Services provided a verbal update on collective bargaining with the International Association of Fire Fighters Local 465.

The Executive Director, Human Resource Services responded to questions from Council concerning collective bargaining with the International Association of Fire Fighters Local 465.

Councillor McConkey temporarily left and re-entered the meeting.

Closed meeting discussions continued.

This concludes the closed meeting summary report.

Moved by Councillor Marimpietri, seconded by Councillor Marks,
(95) "That the meeting recess." Carried

The meeting recessed at 4:32 p.m. and reconvened at 6:30 p.m. All Council members were present following the recess.

Public Meeting

Recognition of Indigenous Lands

The City of Oshawa is situated on treaty land that is steeped in rich indigenous history and is the present day home to many First Nations, Metis and Inuit people. Today, we acknowledge that we are gathering on the traditional territories of the Mississaugas of Scugog Island First Nation.

Council Member Announcements

Various announcements were made relating to activities and events.

Additional Agenda Items

Moved by Councillor Chapman, seconded by Councillor Giberson, (96) "That Supplementary Information from Goldblatt Partners concerning the Oshawa Professional Firefighter's Association right to address City Council (Attachment 4 to Report CNCL-19-12); and Supplementary Information from Stephen LaForest concerning the Columbus Community Advisory Committee (Attachment 12 to Report DS-19-04) be added to the agenda for the Council meeting of January 28, 2019." Carried

Moved by Councillor Chapman, seconded by Councillor Giberson, (97) "That the delegation request from Robert Stevenson and Alan Smith concerning Item CS-19-06 be added to the agenda and that the Fourth Report of the Community Services Committee be added to the Public Consent Agenda for the Council meeting of January 28, 2019." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent – None

Declarations of Pecuniary Interest

None.

Presentations

Al Densham, Chair, Oshawa Sports Hall of Fame introduced the Hall of Fame inductees for 2019.

Delegations

Moved by Councillor Chapman, seconded by Councillor Giberson, "That the delegations of Robert Stevenson and Alan Smith be heard." Carried on a 2/3 vote of members present

Robert Stevenson was not in attendance to address Council.

Alan Smith addressed City Council in opposition to Item CS-19-06.

Matters Requiring Direction

Correspondence Requiring Action

CNCL-19-13 Region of Durham Requesting Nominations for the Durham Agricultural
Advisory Committee and the Durham Environmental Advisory Committee

Moved by Councillor Neal, seconded by Councillor Chapman,
(98) "That based on Correspondence CNCL-19-13 from the Region of Durham,
Paul MacArthur be nominated as the City of Oshawa's representative on the Durham
Agricultural Advisory Committee." Carried

Moved by Councillor Kerr, seconded by Councillor Marks,
(99) "That based on Correspondence CNCL-19-13 from the Region of Durham, Gwen Layton
be nominated as the City of Oshawa's representative on the Durham Environmental Advisory
Committee." Carried

CNCL-19-15 Durham Region Transit Requesting the City Nominate a Community
Member Representative to the Durham Region Transit Advisory
Committee

Moved by Councillor Giberson, seconded by Councillor Chapman,
(100) "That based on Correspondence CNCL-19-15 from the Region of Durham, Greg Gormick
be nominated as the City of Oshawa's Community Member Representative to the Durham
Region Transit Advisory Committee." Carried

Items Pulled from Information Package

None.

Public Consent Agenda

Moved by Councillor Chapman, seconded by Councillor Giberson,
(101) "That all items listed under the heading of Public Consent Agenda for the
January 28, 2019 Council meeting be adopted as recommended except:

Item CS-19-06
Item CS-19-07
Item CORP-19-09
Item DS-19-04 and
Report CNCL-19-12." Carried

Correspondence

None.

Adoption of Council Minutes

That the minutes of the City Council meetings held on January 7, January 10, January 11 and January 17, 2019 be adopted. (Carried - See Page 42)

Standing Committee Reports

Report of the Community Services Committee

The Community Services Committee respectfully reports and recommends to City Council its Third Report.

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| CS-19-12 | <p><u>Linda Power requesting the City of Oshawa 2019 Budget provide an increase to the Animal Services shelter budget</u></p> <hr/> <p>Recommendation (Carried – See Page 42)</p> <p>That City Council Referral CS-19-12 concerning correspondence from Linda Power requesting an increase to the Animal Services shelter budget be referred to the 2020 budget.</p> |
| CS-19-06 | <p><u>Vehicle Speeding and Road Safety Concerns on Ormond Drive</u></p> <hr/> <p>Recommendation (See Page 50)</p> <p>That the matter be referred to Council without recommendation.</p> |
| CS-19-05 | <p><u>Receipt of Automated External Defibrillator (A.E.D.) Donation from Safe Communities of Pickering and Ajax (SCOPA)</u></p> <hr/> <p>Recommendation (Carried – See Page 42)</p> <p>Whereas the City operates and maintains A.E.D.s with Lakeridge Health as part of the Public Access Defibrillator (P.A.D.) program since 2004; and,</p> <p>Whereas since this time the City has continued to grow and expand the P.A.D. program with increasing availability of A.E.D. units at City facility locations; and,</p> <p>Whereas City Recreational Facilities currently contain A.E.D.s at Civic Recreation Complex, Delpark Homes Centre, Donevan Recreation Complex, Northview Community Centre, South Oshawa Community Centre; and,</p> |

Whereas Safe Communities of Pickering and Ajax (SCOPA) has generously donated three mobile A.E.D. units to the City through Lakeridge Health; and,

Whereas these units are to be placed at Rotary Park Pool, Camp Samac Pool and Lakeridge Park Beach in conjunction with summer aquatic operations; and,

Whereas receipt of these units requires the City to execute a Defibrillator Transfer Agreement provided by SCOPA; and,

Whereas this agreement has been attached as Schedule A to this motion,

Therefore be it resolved that City Council authorize the Mayor and Clerk to execute the agreement with SCOPA acceptable to Legal Services and Finance Services to receive the A.E.D.s.

The Community Services Committee respectfully reports and recommends to City Council its Fourth Report.

CS-19-07 Updated Fire Master Plan including a Community Risk Assessment

Recommendation (Amended – See Page 42)

That pursuant to Report CS-19-07 a consultant be retained in 2019 to prepare a new Fire Master Plan including a Community Risk Assessment to be funded from the Administrative Studies Development Charge Reserve at an estimated cost of \$160,000 exclusive of H.S.T.

Report of the Corporate Services Committee

The Corporate Services Committee respectfully reports and recommends to City Council its First Report.

CORP-19-07 Town of Kearney forwarding a resolution passed by the Town of Kearney Council regarding the creation, maintenance and general quality of the Municipal Voters' List (INFO-18-212)

Recommendation (Carried – See Page 42)

That City Council endorse the resolution of the Town of Kearney regarding the creation, maintenance and general quality of the Municipal Voters List.

CORP-19-05 Training Related to the City's Accountability and Transparency Policy

Recommendation (Carried – See Page 42)

That City Council Referral CORP-19-05 concerning training related to the City's Accountability and Transparency Policy be received for information.

CORP-19-09 Amendment to Procedure By-law to Permit All Councillors to Add Items to Regular Standing Committee Agendas

Recommendation (Referred – See Page 42)

1. That Council's rules of procedure be amended to permit any Member of Council to add matters to regular Standing Committee agendas under 'Items introduced by Councillors' by giving written notice to the Standing Committee Chair and Clerk, regardless of whether they are a Member of the Standing Committee or not, subject to the Clerk's agenda publishing deadline; and,
2. That Council's rules of procedure be amended to permit any Member of Council to request a matter be added to the 'Items introduced by Councillors' section of regular Standing Committee agendas, regardless of whether they are a Member of the Standing Committee or not, should the Member miss the Clerk's agenda publishing deadline by giving written notice to the Standing Committee Chair and Clerk at the meeting; and,
3. That Council's rules of procedure be amended to permit discussion of matters included in the 'Items introduced by Councillors' section of regular Standing Committee agendas only, without requiring a motion be put on the floor first and not for the balance of items on a Standing Committee agenda; and,
4. That for clarity, only Standing Committee Members be permitted to make a motion at Standing Committee meetings; and,
5. That the two-week notice to the public as set out in Notice By-law 147-2007 be waived.

CORP-19-10 Reporting of Lawsuits Filed by the City of Oshawa

Recommendation (Carried – See Page 42)

That all lawsuits filed on behalf of the City only occur after report and recommendation to the appropriate Standing Committee and Council; and,

That this motion be referred to staff for a report back.

Report of the Development Services Committee

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

DS-19-08 Durham District School Board- Various Surplus Properties

Recommendation (Carried – See Page 42)

That pursuant to Correspondence DS-19-08, the Durham District School Board be advised that the City of Oshawa has an expression of interest in acquiring the various properties set out in the correspondence dated November 8, 2018 from the Durham District School Board, and that staff be directed to report back to Development Services Committee on the outlined properties.

DS-19-01 Proposed Designation Pursuant to the Ontario Heritage Act: Central Lake Ontario Conservation Authority Office Building at 100 Whiting Avenue

Recommendation (Carried – See Page 42)

That, pursuant to Report DS-19-01 dated January 9, 2019, Development Services staff be authorized to undertake the process established in the Ontario Heritage Act to designate 100 Whiting Avenue as a property of cultural heritage value or interest by undertaking the following:

- a) Prepare a Notice of Intention to Designate 100 Whiting Avenue under the Ontario Heritage Act;
- b) Publish the Notice in the Oshawa This Week and Oshawa Express newspapers;
- c) Forward the Notice to the Ontario Heritage Trust and the owner in accordance with the Ontario Heritage Act; and
- d) Prepare the necessary by-law which will include the proposed Designation Statement and Description, for subsequent approval by Council.

DS-19-03 Reinstatement of a Full Time Manager of Building Inspection Services in the Building Permit and Inspection Services Branch

Recommendation (Carried – See Page 42)

That pursuant to Report DS-19-03 dated January 9, 2019, Council approve the reinstatement of the Manager of Building Inspection Services as a full time exempt position located in the Building Permit and Inspection Services Branch and the cost to create a new office with furniture all to be funded from the annual payment of building permit fees and the Building Permit Reserve Fund.

DS-19-04 Integrated Columbus Part II Planning Act and Municipal Class
Environmental Assessment Act Study: Status and Proposed Columbus
Community Advisory Committee Terms of Reference and Membership

Recommendation (Carried – See Page 42)

1. That, pursuant to Report DS-19-04 dated January 9, 2019, Council select the five individuals from the Columbus community who have expressed an interest in participating as a member of the Columbus Community Advisory Committee, as identified in Confidential Attachment 11 to said Report, to serve as members of the Columbus Community Advisory Committee; and,
2. That, pursuant to Report DS-19-04 dated January 9, 2019, Council approve the proposed Terms of Reference for the Columbus Community Advisory Committee as outlined in Attachment 10 to said Report; and,
3. That going forward, the Columbus Landowners' Group will be formally referred to as the Columbus Developers Group'.

DS-19-05 Proposed New Telecommunication Tower on City Land at 1609 Simcoe
Street South, Fontur International Inc. on behalf of Signum Wireless
Corporation

Recommendation (Carried – See Page 42)

Whereas the City's Telecommunication Policy as approved by City Council requires that in the event that Council approves, in principle, a lease of City land for a proposed telecommunication tower then a public meeting shall be held by the Development Services Committee to obtain public input before Council takes any formal position on the proposal; and,

Whereas the City's Telecommunication Policy indicates that staff will only report on the proposed terms of the lease as appropriate, after Council takes a formal position in support of the proposed tower; and,

Whereas on January 30, 2018 Fontur International Inc. (Fontur) on behalf of Signum Wireless Corporation (Signum) submitted a letter (DS-18-20) proposing lease terms for a new telecommunication tower on City-owned lands at 1609 Simcoe Street South and requesting an exemption from the public meeting requirement of the City's Telecommunication Policy; and,

Whereas the proposed telecommunication tower is to be located on the east side of Simcoe Street South, south of the Oshawa Creek and Harbour Road and is intended to have a decorative design as shown on Attachments 1 and 2; and,

Whereas on February 20, 2018 Council considered Fontur's request (DS-18-20) and denied the request for an exemption from the public meeting requirement of the City's Telecommunication Policy; and,

Whereas on January 4, 2019 Fontur submitted a letter containing revised lease terms resulting from discussions with City staff; and,

Whereas it is important to obtain public input and for the Development Services Committee to hold a public meeting on the proposed telecommunication tower location prior to Council taking a formal position on the proposed telecommunication tower; and,

Whereas holding a public meeting to obtain public input does not imply any form or degree of Council approval;

Therefore, be it resolved that the telecommunication tower proposed by Fontur, on behalf of Signum on City-owned land at 1609 Simcoe Street South be approved in principle for the purpose of holding a public meeting and obtaining public input as required by the City's Telecommunication Policy, and;

That the distribution of the notice of the Public meeting related to Report DS 19-05 involve input from the Ward 5 Council Members and the Mayor to ensure satisfactory notification to area residents.

DS-19-13

Policy Concerning Developer Identification at Public Consultation Meetings

Recommendation (Carried – See Page 42)

Whereas particulars about the December 5, 2018 Public Information Consultation in Stage One of the Integrated Columbus Part II Planning Study status are contained in Report DS-19-04 which is on the January 14, 2019 Oshawa Development Services Committee meeting agenda, and;

Whereas the December 5, 2018 Public Consultation Meeting 1 was an opportunity to receive residents' input to develop guiding principles and identify problems and opportunities, and was to include the opportunity to document concerns and opinions on matters to be considered as the Study moves forward, and;

Whereas during the Public Consultation Meeting 1 the proponents of the Columbus Developers Group were not identified to the Columbus residents and took part in the table discussions and at least one of the developer's representatives got himself appointed as a spokesperson for the residents and expressed his views on the desired residential density of the proposed development of the Columbus lands without ever advising the residents present of his affiliation with the developers group;

Therefore, a policy be enacted requiring City staff to ensure going forward that all future Public Consultation Meetings (PICs) are conducted in a more transparent manner, and that all representatives of any group other than the residents being consulted and participating in such meetings are identified via name tags and not allowed to participate in the residents' deliberations or to speak on the residents' behalf.

Report of the Finance Committee

The Finance Committee respectfully reports and recommends to City Council its Third Report.

FIN-19-07 MADD Canada Requesting the City Purchase Advertising in the annual Message Yearbook

Recommendation (Carried – See Page 42)

That based on Correspondence FIN-19-07 from MADD Canada requesting the city purchase advertising in the annual Message Yearbook, Corporate Communications prepare an advertisement and arrange for funding in the amount of \$550 from the advertising budget.

FIN-19-08 2019 Borrowing By-law

Recommendation (Carried – See Page 42)

That the Borrowing By-law as outlined in Attachment 1 to Report FIN-19-08 dated January 15, 2019 concerning the 2019 Borrowing By-law be approved.

Staff Reports/Motions

CNCL-19-12 Response to Correspondence from Ms. Heather Ann McConnell, Goldblatt Partners LLP regarding the Oshawa Professional Firefighters' Association's Right to Address City Council

Recommendation (Lost – See Page 42)

That Report CNCL-19-12 dated January 23, 2019 concerning the response to the Oshawa Professional Firefighters' Association's right to address City Council be received for information.

By-laws

8-2019 A By-law to Authorize Borrowing
(Implements direction of January 28, 2019 through Item FIN-18-08 of the Third Report of the Finance Committee to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2019)
(Carried – See Page 42)

Discussion Agenda

Matters Excluded From Consent Agenda

Moved by Councillor Kerr, seconded by Councillor Chapman,
(102) "1. That Item CS-19-06 be received for information; and,

2. That a copy of this Report be sent to the resident inquirers; and,

3. That staff reassess the situation in six months' time." Carried as amended

Moved by Councillor Neal, seconded by Councillor McConkey,
(103) "That the motion be amended to add: '4. That the 40 km/h speed limitation be extended to the nearest cross streets along Ormond Drive and the signage be amended to reflect this change.'" Carried

The vote on the main motion Carried as amended.

Moved by Councillor Giberson, seconded by Councillor Gray,
(104) "That the order of the agenda be altered to bring forward Report CNCL-19-12 at this time." Carried

Moved by Councillor Chapman, seconded by Councillor Giberson,
"That Council adopt the recommendation contained in Report CNCL-19-12 concerning the Oshawa Professional Firefighters' Association's right to address City Council." Lost by later vote

Moved by Councillor Nicholson, seconded by Councillor Marimpietri,
"That the motion be amended to add: 'That Sections 5(a), 6.2 (c) and 6.6 (c) of Procedure By-law 111-17 be waived and that Mr. Peter Dyson, President of I.A.F.F. local 465 be invited to the next meeting of City Council to address the issues raised by I.A.F.F. in its report 'GIS Emergency Services Response Capabilities Analysis, Final Report, October 2018'.'" Ruled out of order by the Chair, Lost by later vote

Councillor Nicholson challenged the Chair's ruling concerning the motion to waive the rules to allow Mr. Dyson to speak. The vote to uphold the Chair's ruling Lost on the following:

Affirmative – Councillors Chapman, Kerr, Marks and Mayor Carter

Negative – Councillors Giberson, Gray, Hurst, Marimpietri, McConkey, Neal and Nicholson

Absent – None

The vote on the amendment Lost on the following (requires a 2/3 vote of members present)

Affirmative – Councillors Giberson, Gray, Hurst, Marimpietri, McConkey, Neal and Nicholson

Negative – Councillors Chapman, Kerr, Marks and Mayor Carter

Absent - None

The vote on the motion to receive Report CNCL-19-12 for information Lost on the following

Affirmative – Councillors Chapman, Giberson, Kerr, Marks and Mayor Carter

Negative – Councillors Gray, Hurst, Marimpietri, McConkey, Neal and Nicholson

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson

(105) “That Council adopt the recommendation contained in Item CS-19-07 concerning a new Fire Master Plan including a Community Risk Assessment.” Carried by later vote

Moved by Councilor Gray, seconded by Councillor Marks,

(106) “That motion be amended to add: ‘ and That the report be based on a true 10-year plan, basing the forecasts on rapid growth, moderate growth and low growth.” Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, Neal, Nicholson and Mayor Carter

Negative – Councillor McConkey

Absent – None

Moved by Councillor Gray, seconded by Councillor Marimpietri

(107) “That the motion be amended to add: ‘That the terms of reference include a response to the I.A.F.F. G.I.S. Emergency Services Response Capabilities Report dated October 2018.’.” Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, Neal, Nicholson and Mayor Carter

Negative – Councillor McConkey

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,

(108) “That the meeting recess.” Carried

The meeting recessed at 8:45 p.m. and reconvened at 9:00 p.m. with all members of Council present

Moved by Councillor Gray, seconded by Councillor Giberson,

(109) “That the motion be amended to add: ‘and That the terms of reference include a study for future Fire Hall #7 with recommendations as to its location.” Carried as amended by later votes

Moved by Councillor Nicholson, seconded by Councillor Chapman,

(110) “That the amendment be further amended to include: ‘That this inclusion does not indicate approval of the construction or location of Fire Hall #7.’.” Carried

Moved by Councillor Kerr, seconded by Councillor Marimpietri,
"That the question be put." Carried

The vote to adopt the amendment to add a study for future Fire Hall #7 Carried as amended on the following

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent None

Moved by Councillor Nicholson, seconded by Councillor Neal,
"That the motion be amended to add: 'and That the terms of reference be forwarded to Council prior to release for bids.'" Lost on the following vote

Affirmative – Councillors Giberson, Gray, Marks, Neal and Nicholson

Negative – Councillors Chapman, Hurst, Kerr, Marimpietri, McConkey and Mayor Carter

Absent – None

The vote to adopt the main motion concerning Item CS-19-07 Carried as amended on the following

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks, Nicholson and Mayor Carter

Negative – Councillor McConkey and Neal

Absent- None

Moved by Councillor Marks, seconded by Councillor Marimpietri,
(111) "That Item CORP-19-09 be referred to the Corporate Services Committee for further review and examination." Carried on the following vote

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, Marks and Mayor Carter

Negative – Councillors McConkey, Neal and Nicholson

Absent – None

Moved by Councillor Chapman, seconded by Councillor Giberson,
(112) "That Council adopt the recommendation contained in Item DS-19-04 regarding the Columbus Community Advisory Committee." Carried as amended

Moved by Councillor Chapman, seconded by Councillor Giberson,
(113) "That Stephen LaForest be added as the fifth member of the Columbus Community Advisory Committee." Carried by later vote

Moved by Councillor Kerr, seconded by Councillor Marimpietri
(114) "That the question be put." Carried

The vote to adopt the amendment to appoint Stephen LaForest to the Columbus Community Advisory Committee Carried.

The vote to adopt the recommendation contained in Report DS-19-04 concerning the Columbus Community Advisory Committee Carried as amended.

Matters Tabled

Moved by Councillor Marimpietri, seconded by Councillor Hurst,
(115) "That Part 6 of the motion related to Council's Compensation and Remuneration By-law tabled at the December 18, 2018 meeting be lifted from the table and referred to the February 25, 2019 Corporate Services Committee meeting." Carried by later vote

Councillor Marks made a declaration of interest concerning the motion related to Council's Compensation and Remuneration By-law as Part 6 references a policy regarding parental leave and as personal circumstances could allow him to avail himself of such leave, should it be implemented by Council and he did not take part in discussion or voting on the matter.

Affirmative – Councillors Chapman, Giberson, Gray, Hurst, Kerr, Marimpietri, McConkey, Neal, Nicholson and Mayor Carter

Negative – None

Absent- None

Declaration of Interest – Councillor Marks

Notices of Motion

Councillor Nicholson made the following Notices of Motion:

"That section 26.10 of the Council's Procedural Bylaw be amended to read as follows:

26.10 Motion to Reconsider

- a) No Motion may be considered by Council or by a Committee where, in the Chair's determination in consultation with the Clerk, the subject matter of the Motion (the "Matter") has been decided within the twelve (12)month period immediately preceding the Meeting, except pursuant to this section 26.10. The 12 month restriction does not apply to those motions passed by a previous Council which may be reconsidered by a new Council upon their election.
- b) A Member may introduce a Motion to reconsider a Matter.
- c) A Motion to reconsider requires a Two-Thirds Majority Vote, unless the reconsideration is on a matter passed by a previous Council wherein a simple majority of a subsequently elected is sufficient to reconsider the matter. If the

reconsideration Motion carries, the Matter is then reopened in its entirety unless the reconsideration Motion specifies otherwise.

- d) A Motion to reconsider is debatable only to the extent of the rationale for reconsidering the Matter and no debate of the Matter itself will be allowed unless the Motion to reconsider carries; and,

This motion be referred to the Corporate Services Committee.”

“That the full information trail on the Purchase of 199 Wentworth Street East provided to previous Councils, including all legal reports, opinions, appraisals and confidential reports, be provided to current members of Council upon their written request; and,

This motion be referred to the Corporate Services Committee.”

“That staff be directed to remove all watermarks from future City Council and Standing Committee documents and that confidential pages continue to be printed on purple pages to delineate their status to members of Council; and,

This motion be referred to the Corporate Services Committee.”

“That administrative or procedural directions given by a Council without passage of a motion at City Council shall terminate at the end of the term of that Council; and,

This motion be referred to the Corporate Services Committee.”

“1. That section 6.2. (c) Of Procedural Bylaw 111-17 which currently reads as:

- "c) Correspondence that, in the Clerk's determination, relates to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda or considered by Council or a Committee and will be referred to staff. Council or the Committee to which the correspondence was addressed will be advised of the Clerk's determination. "

Be amended to read as follows:

- "c) Correspondence that, in the Clerk's determination, relates to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda of Council or a Committee and will be referred under separate cover to the relevant Council or Committee to which the correspondence was addressed along with a report from the Clerk outlining his reasons as to why the correspondence should be referred to staff and not to Council or Committee. Council or Committee shall determine if the discussion regarding the correspondence shall occur in open or closed session. The final decision as to the disposition of the correspondence shall reside with the Council or Committee.

2. That section 6.6. (c) of Procedural Bylaw 111-17 which currently reads as:

"c) Delegations that or who, in the Clerk's determination, relate to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda or considered by Council or a Committee and will be referred to staff. Council or the Committee to which the Delegation was intended, as applicable, will be advised of the Clerk's determination."

Be amended to read as follows:

"c) Delegations that or who, in the Clerk's determination, relate to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda of Council or a Committee but will be referred under separate cover to the relevant Council or Committee to which the request to appear as a delegation was intended along with a report from the Clerk outlining his reasons as to why the delegation request should be referred to staff and not to Council or Committee. Council or Committee shall determine if the discussion regarding the delegation request shall occur in open or closed session. The final decision as to the disposition of the delegation request shall reside with the Council or Committee."

3. In the event that motion 2 is not successful, it is my intent to introduce the following:

That section 6.2. (c) of Procedural Bylaw 111-17 Be amended to read as follows:

"c) Correspondence that, in the Clerk's determination, relates to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda or considered by Council or a Committee and will be referred to staff. Council or the Committee to which the correspondence was addressed will be advised of the Clerk's determination. In the event that a person sending correspondence to Council or Committee disagrees with the determination of the Clerk, that person may appeal the Clerk's decision, may attend at the Council or Committee to support their appeal and the final decision as to the disposition of the correspondence shall reside with the Council or Committee."

4. In the event that motion 3 is not successful, it is my intent to introduce the following:

That section 6.6. (c) of Procedural Bylaw 111-17 Be amended to read as follows:

"c) Delegations that or who, in the Clerk's determination, relate to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda or considered by Council or

a Committee and will be referred to staff. Council or the Committee to which the Delegation was intended, as applicable, will be advised of the Clerk's determination. In the event that a person making a delegation request to Council or Committee disagrees with the determination of the Clerk, that person may appeal the Clerk's decision, may attend at the Council or Committee to support their appeal and the final decision as to the disposition of the delegation request shall reside with the Council or Committee."; and,

This motion be referred to the Corporate Services Committee."

Councillor Chapman made the following Notice of Motion:

"That staff review the on-site parking on Benson Street between Taunton Road and Glenbourne Drive; and,

This motion be referred to the Community Services Committee."

Councillor McConkey made the following Notice of Motion:

"That an update review of the City of Oshawa Neighbour Traffic Management Guide (March 2002) be added to the workplan of the department for second quarter 2019; and,

This motion be referred to the Community Services Committee."

Confirming By-Law

Moved by Councillor Chapman, seconded by Councillor Giberson,
(116) "That the confirming By-law be passed." Carried

9-2019 A by-law to confirm the City Council meeting of January 28, 2019.

Adjourn

Moved by Councillor Kerr, seconded by Councillor Giberson,
(117) "That the meeting adjourn." Carried

The meeting adjourned at 9:50 p.m.