

Minutes of a meeting of the Council of the City of Oshawa held in the Bobby Orr Lounge, Civic Auditorium Complex, 99 Thornton Road South, Oshawa on September 22, 2009 at 9:00 a.m.

Mayor Gray, and Councillors Cullen, Henry, Kolodzie (entered at 9:04 a.m. and left at 11:56 a.m.), Lutczyk, Marimpietri (left at 12:06 p.m.), Neal, Parkes, Pidwerbecki and Sholdra (entered at 9:36 a.m.) were present. Councillor Nicholson was absent.

Mayor Gray advised the purpose of the meeting is to consider the 2009-2010 Corporate Business Plan, an Update on Federal and Provincial Infrastructure Funding, the Corporate Strategic Financial Direction, to receive a presentation concerning the Public Sector Accounting Board, and to consider the Eleventh Report of the Community Services Committee.

Councillor Kolodzie entered the meeting.

DECLARATIONS OF PECUNIARY INTEREST

None.

COMMITTEE OF THE WHOLE REPORTS

1. Bob Duignan, City Manager, submitting Report CM-09-51 concerning the 2009-2010 Corporate Business Plan: An Agenda for Prosperity & Renewal
(All Wards)

Recommendation (CARRIED – See Page 440)

That the draft *2009-2010 Corporate Business Plan: An Agenda for Prosperity & Renewal* as set out in Attachment 1 to Report CM-09-51 dated September 16, 2009, be endorsed in principle and further, that the document including any feedback from Council be referred back to staff for finalization.

Moved by Councillor Marimpietri, seconded by Councillor Pidwerbecki, (508) “That Council adopt the recommendation contained in Committee of the Whole Report CM-09-51 concerning the *2009-2010 Corporate Business Plan: An Agenda for Prosperity & Renewal.*” CARRIED

2. Bob Duignan, City Manager, submitting Report CM-09-49 concerning an Update on Federal and Provincial Infrastructure Funding (All Wards)

Recommendation (PARTS 1 TO 5 CARRIED,
PART 6 REFERRED
- See Page 442)

1. That the projects and funding strategy as outlined in Sections 5.2 and 5.3 of Report CM-09-49 dated September 15, 2009 be approved;
2. That the Mayor and City Clerk be authorized to sign all agreements required to obtain approved federal and provincial funding for the following projects in a form approved by the City Solicitor:
 - Oshawa Civic Recreation Complex Renewal and Expansion - Infrastructure Stimulus Fund
 - Alexandra Park Redevelopment and Oshawa Creek Trail Connection - RInC (Recreation Infrastructure Canada)
 - North Oshawa Park Redevelopment and Michael Starr Trail Connection -RInC (Recreation Infrastructure Canada)
 - Development of Waterfront Trail Connection - NTC (National Trail Coalition)
 - Downtown Street Lighting, Streetscape and Parking Improvements - CAF (Community Adjustment Fund)
 - Downtown Brownfield Remediation - CAF (Community Adjustment Fund)
 - Airport Improvements - CAF (Community Adjustment Fund)
 - Sidewalk Rehabilitation - CAF (Community Adjustment Fund);
3. That staff continue to advance other major projects for potential funding opportunities under the Building Canada Fund as outlined in Section 5.4 of Report CM-09-49;
4. That the Manager, Purchasing Services be authorized to award a contract to Cedar Springs Landscape Group Ltd. in the amount of \$943,006 including all taxes, being the lowest responsive and responsible bid received; and
5. That Article 4.07 (c)(i) of the Purchasing By-Law be waived to allow the City Manager to award tenders/proposals associated with the projects outlined in Report CM-09-49 provided the tenders are within the approved budget, or in the case of a proposal, to the highest ranked proponent and report back to Council on a regular basis on the contracts awarded.

Moved by Councillor Neal, seconded by Councillor Kolodzie,
(509) "That Council adopt the recommendation contained in Committee of the Whole Report CM-09-49 concerning an Update on Federal and Provincial Infrastructure Funding." PARTS 1 TO 5 CARRIED BY LATER VOTE, PART 6 REFERRED

Moved by Councillor Henry, seconded by Councillor Neal,
(510) "That the motion be amended to add 'Part 6. That staff be authorized to send a letter to area residents outlining the upcoming project in Alexandra Park and a staff contact be provided for further information.'." REFERRED BY LATER MOTION

Moved by Councillor Marimpietri, seconded by Councillor Cullen,
(511) "That Part 6 be further amended to include sending letters to area residents outlining the upcoming projects in North Oshawa Park and the Civic Auditorium." REFERRED BY THE FOLLOWING MOTION

Moved by Councillor Lutczyk, seconded by Councillor Marimpietri,
(512) "That Part 6 and the amending motion concerning sending letters to area residents outlining upcoming projects in Alexandra Park, North Oshawa Park and the Civic Auditorium be referred to staff to advise of the best way to notify area residents." CARRIED

Councillor Sholdra entered the meeting.

The vote on Parts 1 to 5 of Report CM-09-49 CARRIED ON THE FOLLOWING VOTE

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

NEGATIVE – None

Absent – Councillor Nicholson

3. Bob Duignan, City Manager, submitting Report CM-09-50 concerning the Corporate Strategic Financial Direction – 2009 Update (All Wards)

Recommendation (See Page 443)

1. That Council reaffirm the updated financial strategies set out in Attachment 1 of Report CM-09-50, Corporate Strategic Financial Direction - 2009 Update dated September 15, 2009; and
2. That Council provide direction on the potential budget reduction strategies outlined in Section 5.3, Table 2 and confirm the 2010 target tax levy increase.

Moved by Councillor Kolodzie, seconded by Councillor Pidwerbecki,
(513) "1. That Council reaffirms the updated financial strategies set out in Attachment 1 of Report CM-09-50, Corporate Strategic Financial Direction - 2009 Update dated September 15, 2009; and,

2. That Council confirms the 2010 target tax levy increase and the potential budget reduction strategies outlined in Section 5.3, Table 2." CARRIED BY LATER VOTE

Moved by Councillor Parkes, seconded by Councillor Lutczyk,
(514) "That the motion be amended to add: 'Part 3. That Council adopt a target that the City fall in the 65th percentile of taxation within the GTA and the target be achieved over the next six years.'" REFERRED BY THE FOLLOWING MOTION

Moved by Councillor Kolodzie, seconded by Councillor Marimpietri,
(515) "That Part 3 concerning adopting a target that the City fall in the 65th percentile of taxation within the GTA be referred to staff for a report." CARRIED

Mayor Gray temporarily left the meeting and Councillor Pidwerbecki assumed the Chair.

Council members questioned the City Manager and Commissioner, Corporate Services.

Mayor Gray re-entered the meeting and resumed the Chair.

The vote on Parts 1 and 2 of the motion concerning the Corporate Strategic Financial Direction – 2009 Update CARRIED ON THE FOLLOWING VOTE

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

NEGATIVE – Councillors Lutczyk, Marimpietri and Neal

Absent – Councillor Nicholson

Moved by Councillor Marimpietri, seconded by Councillor Cullen,
(516) "That the meeting recess." CARRIED

The meeting recessed at 11:28 a.m. and reconvened at 11:35 a.m. All Council members were present except Councillors Cullen, Nicholson and Sholdra.

Moved by Councillor Kolodzie, seconded by Councillor Neal,
(517) "That the order of the agenda be altered to bring forward the Eleventh Report of the Community Services Committee." CARRIED ON A 2/3 VOTE OF MEMBERS PRESENT

COMMITTEE REPORT

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

1. Sharon Hall - Maxwell Heights Secondary School (Ward 7)

Recommendation (CARRIED – See Page 444)

Whereas the opening of Maxwell Heights Secondary School has created a need for a large number of high school students to cross Harmony Road North at Coldstream Drive; and,

Whereas the intersection of Harmony Road North and Coldstream Drive is the responsibility of the Region of Durham; and,

Whereas the Region of Durham is in the process of installing traffic control signals and has a target activation date of October 9, 2009; and,

Whereas there are insufficient gaps for students to safely cross Harmony Road at this intersection during the interim period; and,

Whereas due to the speed of traffic on Harmony Road and the width of the intersection at Coldstream Drive, two school crossing guards would be required to safely stop traffic for students;

Therefore be it resolved, that two temporary school crossing guards be provided at the intersection of Harmony Road North and Coldstream Drive to assist students until the traffic control signals are activated.

Moved by Councillor Kolodzie, seconded by Councillor Neal,
(518) "That Council adopt the Eleventh Report of the Community Services Committee."
CARRIED

PRESENTATION

Stephanie Sinnott, Manager, Financial Services, provided a presentation concerning the Public Sector Accounting Board (PSAB) advising that accounting for Tangible Capital Assets was approved for implementation beginning January 1, 2009 and the City's municipal financial statements will reflect the changes to the new standards, and further advising a report is forthcoming concerning the impact of the new changes on the City's budget. The Manager, Financial Services, reported that to date, in response to PSAB implementation requirements, the City has created a working group with other area municipalities and the Region, identified and valued all municipal assets, set-up a PeopleSoft Asset Management Module, and, advised that Deloitte & Touche will be auditing the City's opening tangible capital asset numbers the week of October 5, 2009.

Councillors Cullen and Sholdra re-entered the meeting during the presentation.

Council members questioned the Manager, Financial Services and the Commissioner, Corporate Services.

Councillor Kolodzie left the meeting.

ADDITIONAL MOTIONS

Moved by Councillor Neal, seconded by Councillor Parkes,
(519) "That the rules of procedure be waived to introduce a motion concerning the purchase of vacant land east of Niagara Park for park purposes." CARRIED ON THE FOLLOWING 2/3 VOTE OF MEMBERS PRESENT

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

NEGATIVE – None

Absent – Councillors Kolodzie and Nicholson

Councillor Marimpietri left the meeting.

Moved by Councillor Neal, seconded by Councillor Parkes,
(520) "That the Development Services Department investigate the possible City acquisition of the vacant land (former school site) zoned R1-C/CIN east of Niagara Park for park purposes and report back to the Development Services Committee." CARRIED ON THE FOLLOWING VOTE

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

NEGATIVE – None

Absent – Councillors Kolodzie, Marimpietri and Nicholson

NOTICES OF MOTION

Councillor Neal provided the following notice of motion:

“Whereas Durham Regional Police Service resources are not available at certain times to address problems around the University of Ontario Institute of Technology, Durham College and Trent University;

Therefore be it resolved that Durham Regional Police Service provide a unit to work with the City of Oshawa Municipal Law Enforcement and Licensing Services during the annual Special Enforcement Period; and, this motion be referred to Council in Committee of the Whole.”

Councillor Neal provided the following notice of motion:

“Whereas the University of Ontario Institute of Technology (U.O.I.T.), Durham College and Trent University campuses are part of the City of Oshawa as a whole; and,

Whereas the U.O.I.T., Durham College and Trent University campuses are part of the infrastructure of the existing and future neighbourhoods of the City of Oshawa and Durham Region;

Therefore be it resolved that U.O.I.T., Durham College and Trent University take immediate action regarding off-campus code of conduct enforcement to address misconduct in the neighbourhoods surrounding U.O.I.T., Durham College and Trent University; and,

That the U.O.I.T., Durham College and Trent University investigate ways and means to deal with misconduct in the adjoining neighbourhoods; and,

That U.O.I.T., Durham College and Trent University review the revised and updated Queen’s University Student Code of Conduct; and,

That the City of Oshawa request that Durham Regional Police Service participate with U.O.I.T., Durham College and Trent University regarding the creation of a Student Code of Conduct that will address any misconduct off-campus; and, this motion be referred to Council in Committee of the Whole.”

CONFIRMING BY-LAW

Moved by Councillor Pidwerbecki, seconded by Councillor Sholdra,
(521) "That the Confirming By-law be passed." CARRIED

68-2009 A By-law to confirm the City Council meeting of September 22, 2009.

ADJOURN

Moved by Councillor Cullen, seconded by Councillor Sholdra,
(522) "That the meeting adjourn." CARRIED

The meeting adjourned at 12:08 p.m.