



CITY COUNCIL MEETING NO. 05-2007

Tuesday, February 6, 2007 at 5:30 pm in the Council Chambers at City Hall.
Council will resolve into the Committee of the Whole "In Camera" and
will reconvene as regular Council at 7:30 pm.

ORDERS OF THE DAY

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(Council Chamber)

ROLL CALL



THE COMMITTEE OF THE WHOLE "IN CAMERA"

1. THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following item(s):
 - (a) Advice that is subject to solicitor-client privilege – 5:30 pm
 - (b) Property acquisition – 5:30 – 5:45 pm
 - (c) Litigation and potential litigation and advice that is subject to solicitor-client privilege – 5:45 – 6:45 pm
 - (d) A personal matter about an identifiable individual, employee negotiations and advice that is subject to solicitor-client privilege – 6:45 – 7:30 pm

2. THAT Council rise from the Committee of the Whole "In Camera" without reporting.



DISCLOSURE OF PECUNIARY INTEREST



PRESENTATIONS

- (1) Mr. Mark Segsworth, Commissioner of Public Works and Emergency Services, will speak to Council regarding the City of Kingston receiving the National Public Works Week Award from the Ontario Public Works Association.

- (2) Mr. Robert Cumming, Environmental Public Relations Manager, Lafarge Canada Inc., will speak to Council regarding the proposal to utilize tires and non-recyclable plastics as alternative fuels at its Bath facility.

- (3) Mr. Martin Hauschild, President, Loyalist Environmental Coalition, will speak to Council regarding the proposal to utilize tires and non-recyclable plastics as alternative fuels at the Lafarge Canada Bath facility.



DELEGATIONS



BRIEFINGS



PETITIONS



MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY

Motions of Congratulations, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

Motions of Congratulations

- (1) Moved by Councillor Meers
Seconded by Councillor Garrison

THAT the appreciation of Kingston City Council be extended to the Heart and Stroke Foundation and Scotiabank for their generous contribution to the City of Kingston resulting in the placement of seven automated external defibrillation (AED) units within municipal buildings.

Motions of Condolence



REPORTS

REPORT NO. 11 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

Report No. 11

To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

All items listed on the Consent Report shall be the subject of one motion. Any member may ask for any item(s) included in the Consent Report to be separated from that motion, whereupon the consent report without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

THAT Council consent to the approval of the following routine items:

(a) **Delegated Approval and Signing Authority**

THAT Council:

1. Delegate Authority to the Commissioner of Community Development Services Group or his delegates to review and recommend for execution:
 - a. service agreements with the Province for cost-shared program areas, subject to legal review and budget confirmation;
 - b. service agreements with Service Providers for services related to the identified programs, subject to legal review and budget confirmation;
 - c. agreements under the Canada-Ontario Affordable Housing Program, subject to legal review and budget confirmation; and,
 - d. affiliation agreements with educational institutions and training agencies, subject to legal review and budget confirmation.
2. Authorize the Mayor and Clerk, following the review and recommendation of staff, to execute:
 - a. service contracts between the City and Province related to the delivery of social assistance, social housing, child care and long-term care;
 - b. service contracts between the City and Service Providers for services related to the identified programs;
 - c. service contracts between the City, the Province and approved Housing Proponents as required under all phases of the Canada-Ontario Affordable Housing Program; and
 - d. affiliation contracts between the Community Development Services Group and educational institutions and training agencies.

- and further -

THAT Council delegate approval and signing authority for budget schedules, contract amendments and service description documents to the Commissioner of Community Development Services Group or his delegates, it being understood that these documents will be in a form satisfactory to the Legal Services Division and consistent with the approved municipal budget;

- and further -

THAT Council direct staff to bring forward for Council's consideration as well as RULAC where applicable, prior to any commitments being made on behalf of the City, any new initiatives that have policy implications, service level adjustments and/or appreciable financial implications for the City related to these service areas;

- and further -

THAT the delegation of authority be for the Term of Council.

(The Report of the Commissioner of Community Development Services (07-060) is attached as Schedule Pages 1-4)
(File No. CSU-S00-000-2007)

REPORTS

REPORT NO. 11 OF THE CHIEF ADMINISTRATIVE OFFICER (CONSENT)

(b) **Approval to Renew Technical Support Partnerships**

THAT Council authorize the Mayor and Clerk to execute renewed contracts with neighbouring Consolidated Municipal Service Managers (CMSM) in a form satisfactory to the City Solicitor to provide information technology support services.

(The Report of the Commissioner of Corporate Services (07-065) is attached as Schedule Pages 5-8)
(File No. CSU-A03-000-2007, CSU-L04-000-2007)



REPORTS (CONTINUED)

REPORT NO. 12 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Report No. 12

To the Mayor and Members of Council:
The Chief Administrative Officer reports and recommends as follows:

Mr. Jim Keech, President & CEO of Utilities Kingston will speak to Council regarding the following report on Endorsement of the Water System Annual Compliance Reports.

(1) Endorsement of the Water System Annual Compliance Reports

It is recommended that Council endorse the following:

WHEREAS the provision of high quality safe drinking water is a priority of the City of Kingston; and

WHEREAS the requirements of the Safe Drinking Water Act, 2002, requires Council to be informed of the matters regarding the operation of the water system;

NOW THEREFORE BE IT RESOLVED THAT Council receive the 2006 Annual Compliance Reports for: The Kingston Central Water Treatment Plant, The Kingston West Water Treatment Plant and the Cana Well Water Supply System as required by the terms and conditions outlined in the Certificate of Approvals for the above mentioned Treatment Facilities.

(The Report of the President & CEO of Utilities Kingston (07-068) is attached as Schedule Pages 9-70)
(File No. CSU-E08-000-2007)

Mr. Jim Keech, President & CEO of Utilities Kingston will speak to Council regarding the following report on Flooding and Sewer Backup Review.

(2) Flooding and Sewer Backup Review

Therefore be it resolved:

THAT Staff report back to Council on the areas affected by flooding based on the information received from the public, for the April 3, 2007 Council meeting;

- and further -

THAT staff investigate program options such as protective plumbing devices intended to assist homeowners in dealing with flooding issues and the value of removing extraneous water from the sanitary system within those areas affected by flooding last year and report back to Council with the budgetary implications by the end of May, 2007;

- and further -

THAT staff be directed to undertake amendments to the by-law(s) affecting the sanitary waste water systems to ensure that the appropriate mechanisms are in place to enable the City to deal with illegal connections to the sanitary sewer system and that staff are instructed to take appropriate actions to enforce the provisions of the existing by-law and any amendments thereto.

(The Report of the President & CEO of Utilities Kingston (07-069) is attached as Schedule Pages 71-86)
(File No. CSU-E01-000-2007)

REPORTS (CONTINUED)

REPORT NO. 12 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

Ms. Cynthia Beach, Commissioner of Sustainability and Growth, will speak to Council regarding the following report on Naming Rights Guidelines for the Sports and Entertainment Centre and Multiplex.

(3) **Naming Rights Guidelines for the Sports and Entertainment Centre and Multiplex**

THAT Council approve the naming rights guidelines of the Multiplex and the Sports and Entertainment Centre as included in this report.

(The Report of the Commissioner of Sustainability and Growth (07-074) is attached as Schedule Pages 87-90)

(File No. CSU-R05-001-2007, CSU-R05-002-2007)



REPORTS (CONTINUED)

REPORT NO. 13 OF THE ARTS, RECREATION AND COMMUNITY POLICIES COMMITTEE

Report No. 13

To the Mayor and Members of Council:

The Arts, Recreation and Community Policies Committee reports and recommends as follows:

All items listed on the Arts, Recreation and Community Policies Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

25th January 2007

1. Purchase of Homemaking Services

THAT Council approve continuation of the provincial-municipal cost shared Homemaking Services Program as provided under the *Homemakers and Nurses Services Act RSO, 1990, chapter H 10 and as amended* and administered by the Community and Family Services Department through the purchase of services from qualified 3rd parties; and,

THAT this purchase of services be awarded to ComCare Health Services, as the sole service provider, pursuant to the terms and conditions detailed in City of Kingston RFP No: CDS CFS 2006 05 and the corresponding ComCare Health Services submission dated September 13, 2006; and,

THAT Council direct staff to proceed with the service procurement detailed in the RFP and authorize the Mayor to execute an agreement with the service provider, in a form that is satisfactory to the City's Legal Services.
(Note: The Report of the Commissioner of the Community Development Services Group (ARCP-07-001) was distributed with the Arts, Recreation & Community Policies 25th January 2007 agenda.)

2. Ontario Works Hostels to Homes Pilot

THAT Council approve the City's participation in the provincial Ontario Works Hostels to Homes pilot initiative at an estimated additional net municipal contribution of \$27,000 in 2007 subject to approval of the 2007 Community and Family Services operating budget submission, with an additional \$9,250 net municipal contribution to be included in the 2008 operating budget forecast; and,

THAT Council direct staff to negotiate service agreements with Home Base Housing and Bridge House who will provide the human services co-ordination associated with this pilot service delivery; and,

THAT Council authorize the Mayor and Clerk to execute these agreements with the service providers, in a form that is satisfactory to the City's Legal Services.

(Note: The Report of the Commissioner of the Community Development Services Group (ARCP-07-002) was distributed with the Arts, Recreation & Community Policies 25th January 2007 agenda.)



INFORMATION REPORTS

(1) **Kingston Regional Sports and Entertainment Centre Financial Summary – Interim Report**

The purpose of this report is to advise Council on the interim status of the Kingston Regional Sports and Entertainment Centre Financial Summary project in accordance with the motion of January 23, 2007.

(The Report of the Commissioner of Finance and Corporate Performance (07-078) is attached as Schedule Pages 91-95)

(File No. CSU-R05-001-2007, CSU-R05-002-2007)



MISCELLANEOUS BUSINESS

Motions of Council are required:

(1) **THAT**, as requested by Gloria Kovach, President of the Federation of Canadian Municipalities, Council proclaim the week of February 4th to 10th, 2007 as "International Development Week".

(See Communication No. 05-111)

(Distributed to all Members of Council on January 26, 2007)

(2) At the Council meeting held on January 23, 2007 a draw of names of those Councillors willing to serve as Deputy Mayor for two-month increments was carried out by the Clerk with the following results:

- ❖ Remainder of January, February and March 2007 – Councillor Meers
- ❖ April and May 2007 – Councillor Schmolka
- ❖ June and July 2007 – Councillor Garrison
- ❖ August and September 2007 – Councillor Gerretsen
- ❖ October and November 2007 – Councillor MacLeod-Kane
- ❖ December 2007 and January 2008 – Councillor Glover
- ❖ February and March 2008 – Councillor Matheson

As per the resolution approved, Council members had an opportunity to "trade" time slots and report back so that the times can be confirmed by Council at this meeting.

Note: Councillors Garrison and Matheson have agreed to trade time slots and that is so noted.

(3) **THAT** the following board/committee appointments be confirmed:

- Downtown Kingston! Business Improvement Area Board of Management – Marc Gour
- Kingston Environmental Advisory Forum (KEAF) – Technical appointments for Queen's University:
 1. Dr. Juliana Ramsay – Dept. of Chemical Engineering
 2. Dr. Richard Brachman – Dept. of Civil Engineering
 3. Dr. Kunal Karan – Dept. of Chemical Engineering (alt.)
 4. Dr. Boyd Davis – Dept. of Mining Engineering (alt.)



MOTIONS



NOTICES OF MOTION



MINUTES

THAT the Minutes of City Council Meeting No. 03-2007, held Tuesday, January 9, 2007 and Meeting No. 04-2007, held Tuesday, January 23, 2007 be confirmed.

(Distributed to all Members of Council on Friday, February 2, 2007)



TABLING OF DOCUMENTS

2007-11 Kingston Frontenac Public Library Board
Minutes – Regular Meeting # 2006-10 – December 13, 2006
(File No. CSU-R02-000-2007)

2007-12 Cataraqui Region Conservation Authority
Newsletter – Cat Tales – Winter 2007
(File No. CSU-D03-000-2007)

2007-13 Cataraqui Region Conservation Authority
Agenda – Annual General Meeting – January 24, 2007
(File No. CSU-D03-000-2007)



COMMUNICATIONS

That Council consent to the disposition of Communications in the following manner:

Filed

05-101 From the Ontario Good Roads Association (OGRA), providing highlights from their board meeting held January 19th, 2007.
(File No. CSU-A01-000-2007)
(Distributed to all Members of Council on January 23, 2007.)

05-102 From Waste Diversion Ontario, encouraging Ontario municipalities to exercise proper diligence in administering and monitoring the performance of collection, processing, brokering and/or material marketing contracts to ensure that the Blue Box materials collected from residents are being managed to minimize residue and maximize the successful marketing of materials.
(File No. CSU-E07-001-2007)

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- 05-108 From the Federation of Canadian Municipalities, advising that, on February 14th, 2007, they will issue a Green Municipal Fund (GMF) Request for Proposals (RFP) for financing to support implementation of leading edge, sustainable municipal solid waste diversion projects.
(File No. CSU-F11-000-2007)
- 05-115 From the Ontario Ministry of Municipal Affairs and Housing, advising that the McGuinty government applauds Durham Regional Council's decision to protect the Greenbelt.
(File No. CSU-D03-000-2007)
- 05-121 From the Ontario Good Roads Association (OGRA), providing a report from their Nominating Committee listing the candidates that were recommended to their Board of Directors.
(File No. CSU-A01-000-2007)
- 05-122 From the Ontario Ministry of Municipal Affairs and Housing, advising that the Residential Tenancies Act takes effect January 31, 2007.
(File No. CSU-L11-000-2007)
- 05-124 From the Committee of Adjustment, a Notice of Decision for the following applications:
CONSENT – In respect of an application to sever the property at 1900 Highway 2 East **BE PROVISIONALLY APPROVED**, subject to conditions. The final date of appeal is February 20, 2007.
(File No. CSU-D19-000-2007)
- 05-126 From the Ontario Public Works Association, advising that the City of Kingston has received the Roger Brown Trophy, awarded to the Ontario municipality with a population less than 150,000 which best demonstrates excellence in its range of programs and events during National Public Works Week.
(File No. CSU-M04-000-2007)

Referred to All Members of Council

- 05-103 From Communities in Bloom Ontario, providing Council with information regarding the 2007 Communities in Bloom program.
(File No. CSU-D18-000-2007)
(Digitally distributed to all Members of Council on January 22, 2007.)
- 05-104 From Landscape Ontario, Horticultural Trades Association, advising that they would be pleased to partner with municipalities to educate the public on plant health care and pesticide minimization.
(File No. CSU-E05-000-2007)
(Digitally distributed to all Members of Council on January 22, 2007.)

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- 05-105 From Marcus Létourneau, Heritage Planner, providing Council with information regarding the Rideau Heritage Network meeting to be held in Memorial Hall on February 14th, 2007.
(File No. CSU-R01-000-2007)
(Digitally distributed to all Members of Council on January 22, 2007.)
- 05-106 From Mr. John T. Drynan, expressing his concerns regarding the urgent need for a new hospital and long-term health care centre in Kingston and asking Council to make this request to our local MPP and MP.
(File No. CSU-S08-000-2007)
- 05-111 From Ms. Gloria Kovach, President of the Federation of Canadian Municipalities, asking that Council proclaim the week of February 4th to 10th, 2007 as "International Development Week".
(File No. CSU-M10-000-2007)
(See Miscellaneous Business Item No. 1)
- 05-112 From Dr. F.W. Fairman, providing additional information regarding the proposed burning of scrap tires and waste material at the Lafarge plant in Bath.
(File No. CSU-E11-000-2007)
(Digitally distributed to all Members of Council on January 29, 2007.)
- 05-113 From Ms. Michelle Dorey, expressing her concerns regarding the incineration of tires at Lafarge's facility in Bath.
(File No. CSU-E11-000-2007)
(Digitally distributed to all Members of Council on January 29, 2007.)
- 05-114 From Mr. Julian Brown and Ms. Kaaren Brown, expressing their concerns regarding the Marine Museum and urging Council to support and protect the Museum.
(File No. CSU-R03-000-2007)
- 05-116 From the Ontario Good Roads Association (OGRA), providing information regarding nominations for long service awards to recognize employees who have given long years of service in the cause of good roads.
(File No. CSU-H13-000-2007)
- 05-117 From the Town of Minto, asking for Council's support of a resolution asking the Government of Ontario to take immediate action to exempt Royal Canadian Legions in Ontario from the education portion of property taxes.
(File No. CSU-C10-000-2007)

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- 05-118 From the Town of Minto, asking for Council's support of a resolution petitioning the federal minister responsible for infrastructure and COMRIF, the Honourable Lawrence Cannon, and the provincial Minister of Public Infrastructure Renewal, the Honourable David Caplan, to reimburse those municipalities that were unsuccessful in all three COMRIF intakes the engineering fees that were paid in order to submit the COMRIF application.
(File No. CSU-C10-000-2007)
- 05-119 From Mayor David Miller, City of Toronto, providing information regarding the Great Lake and St. Lawrence Cities Initiative (GLSLCI), a bi-national organization of mayors and other local officials that is working actively with federal, state, provincial, tribal, and first nation governments to advance the protection and restoration of the Great Lakes and St. Lawrence River.
(File No. CSU-D26-000-2007)
- 05-120 From Mayor Ruth Lovell of Owen Sound and Mayor Mike Bradley of Sarnia, providing an update on court security costs.
(File No. CSU-P17-000-2007)
- 05-123 From the Ontario Good Roads Association (OGRA), providing further information regarding the OGRA/ROMA Combined Conference, which will be held in Toronto from February 25th to 28th, 2007.
(File No. CSU-A04-000-2007)
- 05-125 From Mr. John T. Drynan, expressing his concerns regarding hospital and development needs for Kingston, as brought forward at the Kingston Economic Development Corporation (KEDCO) meeting at Rideau Acres on January 30th, 2007.
(File No. CSU-S08-000-2007)

Referred to the Planning Committee

- 05-107 From Mr. Daniel J. Schmid, President-Project Manager of DNAC Project Consultants Inc., providing information regarding a proposed development for the land at the corner of Montreal Street and John Counter Blvd.
(File No. CSU-D00-000-2007)

Referred to the Commissioner of Public Works and Emergency Services

- 05-109 From the Ontario Ministry of Community Safety and Correctional Services, providing information regarding a Municipal Fire Protection Information Survey (MFPIS) which will be used as a means to gather information on municipal fire protection services in relation to the requirements of the *Fire Protection and Prevention Act, 1997* (FPPA).
(File No. CSU-P16-000-2007)

COMMUNICATIONS

Referred to the Commissioner of Corporate Services

- 05-110 From Mr. Tim Eichholz, Epilepsy Kingston, asking that Council proclaim March 2007 as "Epilepsy Awareness Month".
(File No. CSU-M10-000-2007)



BY-LAWS

- (A) THAT By-Laws (1) through (2) be given their first and second reading.
- (B) THAT By-Laws (1) through (4) be given their third reading.



BY-LAWS

- (1) A By-Law To Establish Block 95 On Plan 13M-15 As Part Of The Public Highway Known As Boxwood Street, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001 As Amended.
THREE READINGS PROPOSED NO. 2007-46
(Delegated Authority)
- (2) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, February 6, 2007
THREE READINGS PROPOSED NO. 2007-47
(City Council Meeting No. 05-2007)
- (3) A By-Law To Stop Up And Close The Parcel Of Land Identified As Unopened George Street And Unopened Green Street On The Picardville Subdivision Registered Plan
THIRD READING PROPOSED NO. 2006-24
(See Clause (b), Report No. 5)
- (4) A By-Law To Declare Surplus To Municipal Needs The Unopened George Street And Unopened Green Street On The Picardville Subdivision Registered Plan
THIRD READING PROPOSED NO. 2006-25
(See Clause (b), Report No. 5)



ADJOURNMENT