

## CITY COUNCIL MEETING NO. 25-2004

A Special Meeting of City Council was held on Thursday, September 23, 2004 at 6:00 pm in the Council Chamber, City Hall. His Worship Mayor Harvey Rosen presided.

There was an "In-Camera" meeting of the Committee of the Whole from 7:15 pm to 7:20 pm in the Councillors' Lounge.

### (Council Chambers)

#### ROLL CALL

Present: Mayor Rosen, Deputy Mayor Foster, Councillor Beavis, Councillor Downes, Councillor Garrison, Councillor B. George, Councillor K. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (13)

### (Council Chambers)

#### Administrative Staff Present:

Mr. B. Meunier, Chief Administrative Officer  
Mr. J. Cross, Manager, Policy & Support Services  
Mrs. C. Downs, Manager, Council Support/City Clerk  
Mr. T. Fleming, Senior Legal Counsel, Legal Services  
Mr. J. Giles, Manager, Solid Waste  
Mr. J. Keech, President & CEO, Utilities Kingston  
Mr. B. Judge, Communications Officer, Strategic Initiatives & Corporate Communications  
Mr. D. Leger, Commissioner, Corporate Services  
Mr. M. Segsworth, Commissioner, Operations  
Mr. L. Thurston, Commissioner, Community Services

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### DISCLOSURE OF PECUNIARY INTEREST

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### THE COMMITTEE OF THE WHOLE

- (1) Moved by Councillor Garrison  
Seconded by Councillor K. George

**THAT** Council resolve itself into the Committee of the Whole to consider the agenda.

**CARRIED**

- (a) Discussion and consideration of options to provide assistance to flood victims.

- (2) Moved by Councillor Stoparczyk  
Seconded by Councillor Sutherland

**THAT** Council resolve itself "In Camera" to consider a legal matter.

**CARRIED (9:4)**

A Recorded Vote was requested by Councillor Garrison and commenced with same.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Foster, Councillor B. George, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (9)

NAYS: Councillor Downes, Councillor Garrison, Councillor Meers, Councillor Pater (4)

### THE COMMITTEE OF THE WHOLE

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Members of Council withdrew to the John Counter Room.

Staff present included Mr. B. Meunier, Mr. J. Cross, Mrs. C. Downs, Mr. T. Fleming, Mr. J. Giles, Mr. J. Keech, Mr. D. Leger, Mr. M. Segsworth, and Mr. L. Thurston.

- (3) Moved by Councillor Beavis  
Seconded by Councillor Garrison

**THAT** Council rise from "In Camera" without reporting.

**CARRIED**

- (b) Moved by Councillor Garrison  
Seconded by Councillor B. George

**THAT**, as a courtesy to the citizens of Kingston and without accepting or assuming any liability or responsibility for any damage that may have been caused, the City offer flood debris tipping fee exemption for the recent flood victims until such time that the City staff are satisfied that clean-up from the recent flood has been completed, and;

**THAT** this be funded through the Working Fund Reserve;

–and further–

**THAT** staff be authorized to request proof from home-owners that flood damage did occur in cases where there exists doubt in the opinion of staff that flood damage did take place on said property.

**CARRIED AS AMENDED**  
**(See Following Motion to AMEND which was CARRIED)**  
**(See Following Motions to AMEND which were LOST)**

Moved by Councillor Sutherland  
Seconded by Councillor Stoparczyk

**THAT** the motion of Councillors Garrison and B. George be amended to allow for tipping fee exemption for the recent flood victims.

**CARRIED**

Councillor Garrison challenged the Chair as to whether the motion of Councillors Sutherland and Stoparczyk was contrary to the original motion. The Chair called for a vote respecting the challenge, which was recorded as follows:

YEAS: Councillor Downes, Councillor Foster, Councillor Garrison, Councillor B. George, Councillor Meers, Councillor Pater (6)

NAYS: Mayor Rosen, Councillor Beavis, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (7)

## **THE COMMITTEE OF THE WHOLE**

Moved by Councillor Downes

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Seconded by Councillor Sutherland

**THAT** staff be directed to apply to the Ministry of the Environment to temporarily designate the hardest hit areas, to be determined by staff, to set up temporary transfer stations to facilitate the collection of flood debris.

**LOST**

Moved by Councillor Pater

Seconded by Councillor Meers

**THAT** assistance be arranged through our Community Services Department to assist those people who sustained flood damage but cannot afford to remove their debris to the landfill station, with an upset limit of \$10,000.00;

–and further–

**THAT** all funding resources be explored and, if necessary, the funds come from the Working Fund Reserve.

**LOST (5:8)**

**(See Recorded Vote)**

A Recorded Vote was requested by Councillor Pater and commenced with same.

YEAS: Councillor Downes, Councillor Garrison, Councillor Meers, Councillor Pater, Councillor Sutherland (5)

NAYS: Mayor Rosen, Councillor Beavis, Councillor Foster, Councillor B. George, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk (8)

- (4) Moved by Councillor K. George  
Seconded by Councillor B. George

**THAT** Council rise from the Committee of the Whole and the Chair report.

**CARRIED**

The Chair reported the following action:

Moved by Councillor Garrison

Seconded by Councillor B. George

**THAT**, as a courtesy to the citizens of Kingston and without accepting or assuming any liability or responsibility for any damage that may have been caused, the City offer flood debris tipping fee exemption for the recent flood victims until such time that the City staff are satisfied that clean-up from the recent flood has been completed, and;

**THAT** this be funded through the Working Fund Reserve;

–and further–

**THAT** staff be authorized to request proof from home-owners that flood damage did occur in cases where there exists doubt in the opinion of staff that flood damage did take place on said property.

**CARRIED (10:3)**

**(See Recorded Vote No. 1)**

**(See Following Motions to AMEND which were LOST)**

## **THE COMMITTEE OF THE WHOLE**

Moved by Councillor Garrison

Seconded by Councillor Meers

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**THAT** the wording of the motion of Councillors Sutherland and Stoparczyk, with regard to tipping fees, be deleted from the motion and replaced with "flood debris pick-up".

**LOST (5:8)**  
**(See Recorded Vote No. 2)**

Moved by Councillor Meers  
Seconded by Councillor Garrison

**THAT** the people who have to pay for transporting goods to the transfer station be allowed to submit receipts in order to be reimbursed.

**LOST (4:9)**  
**(See Recorded Vote No. 3)**

1. A Recorded Vote was requested by Councillor Sutherland and commenced with same.

YEAS: Mayor Rosen, Councillor Beavis, Councillor Downes, Councillor Garrison, Councillor B. George, Councillor Meers, Councillor Pater, Councillor Patterson, Councillor Stoparczyk, Councillor Sutherland (10)

NAYS: Councillor Foster, Councillor K. George, Councillor Smith (3)

2. A Recorded Vote was requested by Councillor Garrison and commenced with same.

YEAS: Councillor Downes, Councillor Garrison, Councillor B. George, Councillor Meers, Councillor Pater (5)

NAYS: Mayor Rosen, Councillor Beavis, Councillor Foster, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (8)

3. A Recorded Vote was requested by Councillor Garrison and commenced with same.

YEAS: Councillor Downes, Councillor Garrison, Councillor Meers, Councillor Pater (4)

NAYS: Mayor Rosen, Councillor Beavis, Councillor Foster, Councillor B. George, Councillor K. George, Councillor Patterson, Councillor Smith, Councillor Stoparczyk, Councillor Sutherland (9)

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(3) Moved by Councillor Beavis  
Seconded by Councillor Downes

**THAT** the report of the Committee of the Whole be received, confirmed and adopted.

**CARRIED**

## **BY-LAWS**

(A) Moved by Councillor Meers  
Seconded by Councillor Pater

**THAT** By-Law (1) be given its first and second reading.

**CARRIED**

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(B) Moved by Councillor Patterson  
Seconded by Councillor Stoparczyk

**THAT** By-Law (1) be given its third reading.

**CARRIED**

(1) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Thursday, September 23, 2004.  
THREE READINGS PROPOSED NO. 2004-320  
(City Council Meeting No. 25-2004)

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**ADJOURNMENT**

Moved by Councillor Garrison  
Seconded by Councillor Downes

**THAT** Council do now adjourn.

**CARRIED**

Council adjourned at 8:30 pm.

(Signed)

Carolyn Downs  
City Clerk

Harvey Rosen  
Mayor