

## CITY COUNCIL MEETING NO. 04-2010

The Regular Meeting of City Council was held on Tuesday, January 5, 2010, and was called to order at 6:30 pm in the Council Chamber, City Hall. Regular business commenced at 7:30 pm. Deputy Mayor Mark Gerretsen presided.

There was an "In Camera" meeting of the Committee of the Whole from 6:35 pm to 7:10 pm in the Councillors' Lounge.

### (Council Chamber)

#### ROLL CALL

Present: Councillor Foster, Councillor Garrison (arrived at 6:45 pm), Deputy Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison (arrived at 6:35 pm), Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic (arrived at 6:35 pm), Councillor Smith (11)

Absent: Mayor Rosen, Councillor Schmolka (2)

### (Councillors' Lounge)

#### Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth

Mr. J. Bolognone, Deputy City Clerk

Mrs. C. Downs, City Clerk

Mr. G. Hunt, Chief Administrative Officer

Ms. L. Hurdle, Director, Recreation and Leisure Services

Mr. S. Kanellos, Director, Real Estate and Construction Services

Mr. H. Linscott, Director, Legal Services

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### COMMITTEE OF THE WHOLE "IN CAMERA"

- (1) Moved by Councillor Foster  
Seconded by Councillor Smith

THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following item(s):

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board – Centennial Drive  
(b) A proposed or pending acquisition or disposition of land by the municipality or local board – Front Road

CARRIED

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### (Council Chamber)

#### Administrative Staff Present:

Ms. C. Beach, Commissioner of Sustainability and Growth

Mr. J. Bolognone, Deputy City Clerk

Mrs. C. Downs, City Clerk

Mr. J. Hale, Driver/Labourer, Public Works

Mr. G. Hunt, Chief Administrative Officer

Ms. L. Hurdle, Director, Recreation and Leisure Services

Mr. S. Kanellos, Director, Real Estate and Construction Services

Mr. J. Keech, President and CEO, Utilities Kingston

Mr. D. Leger, Commissioner of Corporate Services

Mr. H. Linscott, Director, Legal Services

Mr. R. McKelvie, Chief Information Officer, Information Systems and Technology

Mr. L. Thurston, Commissioner of Community Development Services

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**REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"**

- (2) Moved by Councillor Glover  
Seconded by Councillor Smith

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

**CARRIED**

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**DISCLOSURE OF PECUNIARY INTEREST**

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**PRESENTATIONS**

Council consented to the amendment of Presentation No. (1) to delete Corrie Abrams and replace her with Anne Turnbull.

- (1) Ms. Anne Turnbull, 2006 Inductee of the Kingston and District Sports Hall of Fame and current member of its Selection Committee, introduced the Kingston and District Sports Hall of Fame 2010 inductees.

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**DELEGATIONS**

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**BRIEFINGS**

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**PETITIONS**

- (1) A petition bearing approximately 58 signatures was sent to the Clerk's Department and referred to the Commissioner of Corporate Services and reads as follows:

"We the undersigned petition the Kingston City Council as follows: To increase the accessibility of bicycle lanes/paths in the City of Kingston. The limited access to bicycle paths in Kingston makes utilizing this form of transportation difficult and dangerous. Improved bicycle lanes/paths would support green transportation to school and work and would improve fitness levels."

**REFERRED TO THE COMMISSIONER OF CORPORATE SERVICES**

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**MOTIONS OF CONGRATULATIONS/CONDOLENCES/SPEEDY RECOVERY**

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Council consented to the addition of Motion of Condolence No. (5).

**Motions of Condolence**

- (1) Moved by Councillor Meers  
Seconded by Deputy Mayor Gerretsen

**THAT** the sincere condolences of Kingston City Council be extended to the family of Sergeant Chris Barrett, Kingston Police, who passed away on December 16, 2009. Sergeant Barrett was the father of Nicole Paquin, Legal Services Department.

- (2) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Garrison

**THAT** the sincere condolences of Kingston City Council be extended to the family of Bill Sauve, former custodian of Westbrook United Church, who passed away on December 4, 2009. Mr. Sauve's sons, Terry, Dale and Brett, are employees of the Algonquin and Lakeshore Catholic District School Board and the Limestone District School Board.

- (3) Moved by Councillor MacLeod-Kane  
Seconded by Deputy Mayor Gerretsen

**THAT** the sincere condolences of Kingston City Council be extended to John Wallace, Fire and Rescue Department, on the recent passing of his mother-in-law, Mrs. Nancy Rhodes.

- (4) Moved by Councillor Foster  
Seconded by Councillor Smith

**THAT** the sincere and heartfelt condolences of Kingston City Council be extended to former City Councillor and Controller Joe Hawkins and his family, on the death of his wife, Alice Hawkins. Alice, former employee of the City of Kingston, was one of those magnificent women who anchor a neighbourhood and are never recognized for what they have done to help and support so many.

- (5) Moved by Councillor MacLeod-Kane  
Seconded by Deputy Mayor Gerretsen

**THAT** the sincere condolences of Kingston City Council be extended to Annabelle Girard, Program Coordinator at the MacLachlan Woodworking Museum, on the recent deaths of her mother and mother-in-law, who passed away within a week of one another, just prior to Christmas.

**Motions of Speedy Recovery**

- (1) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Osanic

**THAT** the best wishes of Kingston City Council be extended to John Rhodes, Solid Waste Department, for a speedy recovery.

**CARRIED**

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## REPORTS

### Report No. 15 the Chief Administrative Officer (Consent)

Moved by Councillor Garrison  
Seconded by Councillor Meers

**THAT** Report No. 15 of the Chief Administrative Officer (Consent) be received and adopted.

Council consented to the withdrawal of Clause (c) and the addition of Clause (d) of Report No. 15 of the Chief Administrative Officer (Consent).

### Report No. 15

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) **2010 Interim Tax Levy**

**THAT** a by-law be presented for three readings to provide for the levying and collecting of 2010 interim realty taxes, including:

- a. that the 2010 interim tax bill be no greater than 50% of the 2009 taxes levied; and
- b. that the rates be as specified in Appendix A attached hereto; and
- c. that the due date for interim taxes be February 26, 2010; and
- d. that various payment options be provided; and
- e. that late payment charges be added to taxes that are in default.

(The Report of the Deputy Treasurer (10-015) was attached as Schedule Pages 1-6)

(File No. CSU-F22-000-2010)

(See By-Law No. (2), 2010-25)

(b) **Appointment of an Alternate Acting City Clerk Pro Tem**

**THAT** a by-law be presented to amend By-Law No. 98-8, as amended, being "A By-Law To Appoint Statutory Officials Of The Corporation Of The City Of Kingston", to appoint Jannette Amini as Alternate Acting Clerk, Pro Tem when the City Clerk and Deputy City Clerk are absent or unable to carry on the duties of the Clerk through illness or otherwise.

(The Report of the City Clerk (10-050) was attached as Schedule Pages 7-9)

(File No. CSU-C12-000-2010)

(See By-Law No. (1), 2010-24)

## REPORTS (CONTINUED)

### Report No. 15 the Chief Administrative Officer (Consent)

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(c) **Proposed Restoration of the Lion at Macdonald Park**

**THAT** Council enter into a partnership agreement, to the satisfaction of the Director of Legal Services, with the Ukrainian Canadian Club of Kingston for the restoration of the Lion at Macdonald Park, it being understood that staff will consult with the Kingston Municipal Heritage Committee on proposed details of the restoration and complete an Application for a Heritage Permit.

(The Report of the Commissioner of Sustainability and Growth (10-051) was attached as Schedule Pages 10-27)

(File No. CSU-R01-000-2010)

**WITHDRAWN**

(d) **Enterprise Geographic Information Systems – Software License Agreement**

**THAT** Council approve the single sourcing of ESRI Canada Ltd. - Small Local Government Enterprise License Agreement as per the provisions of Section 4.5(ii) of the city's Purchasing By-Law No. 2000-134, as amended;

- and further -

**THAT** Council authorize the Mayor and Clerk to execute the Small Local Government Enterprise License Agreement with ESRI Canada Ltd. for the deployment of GIS software licenses over a three –year term, at a cost of \$80,000 per year, in a form satisfactory to the Director of Legal Services.

(The Report of the Commissioner of Corporate Services (10-046) was digitally distributed to Mayor and Council on January 4, 2010, and was attached to the Addeds as Schedule Pages 40-44)

(File No. CSU-A23-000-2010)

**CARRIED**

**(Clauses (a), (b) and (d))**

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**Report No. 16 of the Chief Administrative Officer (Recommend)**

Moved by Councillor MacLeod-Kane

Seconded by Councillor Hector

**THAT** Report No. 16 of the Chief Administrative Officer (Recommend) be received and adopted.

**Report No. 16**

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

(1) **2010 Calendar of Council and Standing Committee Meetings**

**THAT** the 2010 Calendar of Council and Standing Committees, attached as Appendix A, be received;

- and further -

**THAT**, notwithstanding the regularly scheduled Council and Standing Committee meeting dates, Council approve the following meeting dates:

March Break:

- March 16<sup>th</sup> Council meeting to be rescheduled to March 23<sup>rd</sup>, 2010.
- March 18<sup>th</sup> Planning Committee meeting to be cancelled.

**REPORTS (CONTINUED)**

**Report No. 16 of the Chief Administrative Officer (Recommend)**

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Summer Schedule:

- July 1<sup>st</sup> and 15<sup>th</sup> Planning Committee meetings to be rescheduled to July 8<sup>th</sup> and 22<sup>nd</sup>, 2010, respectively.
- July 8<sup>th</sup> Administrative Polices Committee meeting to be rescheduled to July 15<sup>th</sup>, 2010.
- Council meeting to be held on July 20<sup>th</sup>, 2010.
- July 22<sup>nd</sup> Arts, Recreation, and Community Policies Committee meeting to be rescheduled to July 29<sup>th</sup>, 2010.
- Council meeting to be held on August 24<sup>th</sup>, 2010.

Christmas Schedule:

- December 16<sup>th</sup> Planning Committee meeting to be cancelled.
- December 23<sup>rd</sup> Arts, Recreation, and Community Polices Committee meeting to be rescheduled to December 16<sup>th</sup>, 2010.

Other Notable Recommended Changes:

- November 9<sup>th</sup> Environment, Infrastructure, and Transportation Policies Committee meeting to be rescheduled to November 18<sup>th</sup>, 2010, as a joint meeting with the Administrative Policies Committee, if necessary.
- November 11<sup>th</sup> Administrative Policies Committee meeting to be rescheduled to November 18<sup>th</sup>, 2010, as a joint meeting with the Environment, Infrastructure, and Transportation Policies Committee, if necessary.
- November 18<sup>th</sup> Planning Committee meeting to be cancelled.

(The Report of the City Clerk (10-049) was attached as Schedule Pages 28-33)  
(File No. CSU-C15-000-2010)

**CARRIED**

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**Report No. 17 of the Memorial Centre Revitalization Advisory Committee**

Moved by Councillor Matheson

Seconded by Councillor Hector

**THAT** Report No. 17 of the Memorial Centre Revitalization Advisory Committee be received and adopted.

**Report No. 17**

To the Mayor and Members of Council:

The Memorial Centre Revitalization Advisory Committee reports and recommends as follows:

December 14, 2009

1. **Memorial Centre Ice Pad**

**WHEREAS** the ice pad at the Cook Brothers Arena has been decommissioned in 2008; and

**WHEREAS** the Memorial Centre Concept Plan is currently being implemented; and

**WHEREAS** improvements to the ice pad equipment at the Memorial Centre, including the replacement of a condenser, has recently occurred;

**REPORTS (CONTINUED)**

**Report No. 17 of the Memorial Centre Revitalization Advisory Committee**

**THEREFORE BE IT RESOLVED THAT** the ice pad at the Memorial Centre be retained for public use.

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DEFERRED  
(See Motion To Defer Which Was CARRIED)

Moved by Councillor Matheson  
Seconded by Councillor Hector

**THAT** Clause 1 of Report No. 17 of the Memorial Centre Revitalization Advisory Committee be deferred until such time that staff presents its arenas report back to Council.

CARRIED (7:4)  
(See Recorded Vote)

A Recorded Vote was requested by Councillor Garrison

YEAS: Councillor Foster, Deputy Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Matheson, Councillor Osanic, Councillor Smith (7)

NAYS: Councillor Garrison, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Meers (4)

ABSENT: Mayor Rosen, Councillor Schmolka (2)

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**Report No. 18 of the Kingston Environmental Advisory Forum**

Moved by Councillor Foster  
Seconded by Councillor Matheson

**THAT** Report No. 18 of the Kingston Environmental Advisory Forum be received and adopted.

**Report No. 18**

To the Mayor and Members of Council:  
The Kingston Environmental Advisory Forum reports and recommends as follows:

December 14, 2009

1. **Report to Council regarding Correspondence referred from Council to KEAF from 'SPLASH – Sustainable Practices Leave a Sustainable Heritage'**

**WHEREAS** correspondence was directed to the Mayor and City Council dated January 30, 2009; and,

**WHEREAS** within the correspondence a request was made that the Kingston Environmental Advisory Forum (KEAF) review the calculations regarding emissions from the Poker Run; and,

**WHEREAS** correspondence from Guy Oram, 'Sustainable Practices Leave A Sustainable Heritage (SPLASH)' following up on a letter dated January 30, 2009, was noted June 2, 2009, by Council and was referred to KEAF; and,

**WHEREAS** a review was undertaken, and a report was written by KEAF member Ian Dubin, with some input from other members, which details the calculations, observations, and research that were done to check claims made in the aforementioned letter; and,

**WHEREAS** the SPLASH correspondence set out figures for total CO2 produced by the Poker Run; and it also stated a figure for the total CO2 produced by idling cars in Kingston as a point of comparison; and,

**REPORTS (CONTINUED)**

**Report No. 18 of the Kingston Environmental Advisory Forum**

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**WHEREAS** KEAF's findings (produced by Mr. Ian Dubin and reviewed by other members of KEAF) are that SPLASH overstates the amount of CO2 produced by the Poker Run event in a typical year, and that it significantly understates the amount of CO2 produced by cars idling in Kingston in a typical year; and,

**WHEREAS** KEAF's determined effort to consult with Poker Run organizers and boat owners produced only limited hard data on fuel consumption during the event; and consequently, the numbers offered in Mr. Dubin's report are an estimate and the methodology is explained there; and,

**WHEREAS** the following data is based on tail pipe emissions:

- The total amount of CO2 produced by the annual Poker Run is in the range of **100 - 200 tonnes**.
- The KEAF estimate of the CO2 produced annually by idling cars and light duty vehicles in Kingston, assuming that the statements on the Natural Resources Canada website are right - that these vehicles idle for about 5 minutes a day on average, is about **6000 tonnes** (roughly 30 to 60 times the product of the Poker Run).
- Other points of comparison offered in the attached report are that 1 round-trip flight, Toronto-Vancouver, for a Boeing 757 produces **122 tonnes** of CO2.
- Based on the above, the Poker Run emits an amount of CO2 equivalent to purchasing something in the order of **400 - 500 one way individual passenger flights** from Toronto to Vancouver.
- One hour of flying time for the Snowbirds produces **31 tonnes**.
- 1 medium efficiency automobile running 15,000 km annually produces **5 tonnes**.
- 1 stop-sign on a 4,000-vehicle-per-day road on an annual basis increases CO2 production by **34 tonnes**.
- Anaesthetic gases vented from Hotel Dieu Hospital per year are equivalent to 100 – 150 tons of CO2,

**THEREFORE BE IT RESOLVED THAT** the following conclusions are submitted in response to the referral of correspondence from 'Sustainable Practices Leave A Sustainable Heritage (SPLASH)' and be received by Council:

1. In 2009, the Poker Run event produced an environmental impact of 100-200 tons of emissions for a 3-hour event which can be anticipated for future events.
2. The carbon emissions from the event should be considered within the results of the City's baseline carbon study, if the methodology permits it.
3. Noise impacts, wake impacts and other postulated environmental impacts are minor and unlikely to exceed existing standards and criteria.
4. The Cataraqui Region Conservation Authority should be consulted on the possibility of damage to sensitive ecologies from wake effects.
5. The City Engineering Department should be consulted on the possibility of damage to harbour structures from wake (chop) generated in the outer harbour during the start.
6. In seeking to achieve a balance of social, cultural, economic and environmental factors in line with Kingston's Sustainability goals Council may wish to consult with FOCUS Kingston, it being noted that for the purposes of such a balancing decision, it is the view of KEAF that the Poker Run has a negative environmental impact.

**REPORTS (CONTINUED)**

Report No. 18 of the Kingston Environmental Advisory Forum

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7. Among the economic implications of the Poker Run, if the Poker Run continues in the City of Kingston, attention should be given to the possibility of purchasing high quality, credible, preferably local, carbon offsets to ensure that emissions of an amount of CO2 equal to or greater than the emissions produced from the event are reduced elsewhere. Attention should also be given to who should bear responsibility for covering the costs of such carbon offsets.

8. The Poker Run without carbon offsets is damaging to a culture of Environmental Sustainability.

(Note: The report of Ian Dubin, in consultation with other KEAF members, was distributed separately from the agenda.)

**CARRIED**

**(With Agreed To Amendments)**

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**Report No. 19 of the Ad Hoc Committee to Review By-Law 98-1 Council Procedural By-Law and 2004-360 Composition and Terms of Reference for Committees**

Moved by Councillor Meers

Seconded by Councillor Glover

**THAT** Report No. 19 of the Ad Hoc Committee to Review By-Law 98-1 Council Procedural By-Law and 2004-360 Composition and Terms of Reference for Committees be received and adopted.

**Report No. 19**

To the Mayor and Members of Council:

The Ad Hoc Committee to Review By-Law 98-1 Council Procedural By-Law and 2004-360 Composition and Terms of Reference for Committees reports and recommends as follows:

December, 2009

**1. Notice Provisions for Meetings Included in the Procedural By-Law**

**THAT** a by-law be presented to amend By-Law No. 98-1, "Council Procedural By-Law", as amended, as follows:

1. Insert the following as Section 3 (f) so that Section 3 (f) reads as follows:

"3 (f) Notice to the public of all regular Council and Standing Committee meetings must be provided by posting the agenda on the City website as soon as practicable after delivery of the agenda to the Members of Council and inclusion on the regularly published Calendar which is also posted on the City website. The time and date of regular Council meetings and regular Standing Committee meetings must be published at least 7 days in advance in a Kingston print publication."

2. Insert the following as Section 3 (g) so that Section 3 (g) reads as follows:

"3 (g) Notice to the public of Education Sessions and all Special Council and Standing Committee meetings must be given by posting a notice of the Education Session, Special Council meeting or Special Standing Committee meeting, as the case may be, on the City website as soon as practicable after delivery of the notice to the Members of Council and will be included on the regularly published Calendar which is also posted on the City website.";

- and further -

**REPORTS (CONTINUED)**

**Report No. 19 of the Ad Hoc Committee to Review By-Law 98-1 Council Procedural By-Law and 2004-360 Composition and Terms of Reference for Committees**

**THAT** the by-law receive three consecutive readings at the same meeting.

(See By-Law No. (3), 2010-26)

CARRIED

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## INFORMATION REPORTS

- (1) **Tender and Contract Awards Subject to the Established Criteria for Delegation of Authority for the Month of November 2009**

The purpose of this report is to advise Council of tenders/RFPs approved and contracts awarded greater than \$50,000 that meet the established criteria of delegated authority for the month of November 2009 and to report additional information on contracts awarded by senior staff between the \$20,000 and \$50,000 level for the month of November 2009.

(The Report of the Deputy Treasurer (10-016) was attached as Schedule Pages 34-39)  
(File No. CSU-F18-000-2010)

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## MISCELLANEOUS BUSINESS

Council consented to the addition of Miscellaneous Business Item No. (2).

- (1) Moved by Councillor Hector  
Seconded by Councillor Foster

**THAT**, at the request of Sexual Assault Centre Kingston, Council proclaim March 8, 2010, as "International Women's Day" and March 6 to 15, 2010, as "International Women's Week" in the City of Kingston.

(See **Communication No. 04-043**)

CARRIED

- (2) Moved by Councillor Hector  
Seconded by Councillor Foster

**THAT** Councillor Schmolka be appointed to serve on the Limestone District School Board's Program and Accommodation Review Committee (PARC).

CARRIED

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## MOTIONS

- (1) Moved by Councillor MacLeod-Kane  
Seconded by Councillor Garrison

**THAT** staff be directed to organize a fireworks display at Grass Creek Park during the evening of Canada Day, with a budget not to exceed \$20,000 and to be funded from the Working Reserve Fund, for the year 2010.

**DEFERRED AS AMENDED  
(With Agreed To Amendments)  
(See Motion To Defer Which Was CARRIED)**

## MOTIONS (CONTINUED)

Moved by Councillor Glover  
Seconded by Councillor Matheson

**THAT** Motion No. (1) be deferred and referred to staff to review costs and funding sources and that staff report back to Council at the first meeting in February 2010.

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CARRIED (10:1)  
(See Recorded Vote)

A Recorded Vote was requested by Councillor MacLeod-Kane

YEAS: Councillor Foster, Deputy Mayor Gerretsen, Councillor Glover, Councillor Hector, Councillor Hutchison, Councillor MacLeod-Kane, Councillor Matheson, Councillor Meers, Councillor Osanic, Councillor Smith (10)

NAYS: Councillor Garrison (1)

ABSENT: Mayor Rosen, Councillor Schmolka (2)

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## NOTICES OF MOTION

- (1) Moved by Councillor Matheson  
Seconded by Councillor Hutchison

**WHEREAS** traffic, traffic calming, street signage and signalization are a concern to all citizens of Kingston; and,

**WHEREAS** there are street and traffic circumstances in which signage and traffic calming do not necessarily meet the warrants that City Staff use in determining whether traffic calming up to and including signs can be implemented; and,

**WHEREAS** these exceptional circumstances have sometimes been brought to Council for debate and discussion at times without full opportunity for public notification or input prior to implementation; and,

**WHEREAS** many municipalities including Belleville have formed a Traffic Committee, made up of citizens from across the city, and are experiencing excellent results for their respective communities implementing neighbourhood traffic solutions that citizens have ongoing input into;

**THEREFORE BE IT RESOLVED THAT** staff report back by March of 2010 to EI&TP with a report on the comparative makeup of existing municipal traffic committees, along with their respective mandates, and report back with a recommendation in regards to a process providing opportunity for public input into the possible implementation of a Traffic Committee for the City of Kingston.

- (2) Moved by Councillor Hutchison  
Seconded by Councillor Garrison

**WHEREAS** the City of Kingston aspires to be Canada's most sustainable city and has implemented many measures that are improving the quality of the four pillars of sustainability in our community – economic, environmental, social and cultural; and,

**WHEREAS** the Kingston Environmental Advisory Forum (KEAF) has indicated in its report that for the purposes of balancing the four pillars of sustainability in any decision with regard to the Poker Run, it is KEAF's view that the Poker Run has a negative environmental impact; and,

**WHEREAS** KEAF further indicates that the Poker Run without carbon offsets is damaging to a culture of Environmental Sustainability;

## NOTICES OF MOTION

**BE IT RESOLVED THAT** staff, after consultation with FOCUS Kingston and SWITCH, be directed to negotiate with the Poker Run participants and other stakeholders the possibility of the purchase of high quality, credible, preferably local carbon offsets to ensure that emissions from the Poker Run of an amount of CO2 equal to or greater than the emissions produced from the event are reduced elsewhere with attention in negotiations being given to who should bear responsibility for covering the costs of such carbon offsets; and,

**BE IT FURTHER RESOLVED THAT** attention also be given in negotiations to the possibility of the participants reducing the carbon footprint of the Poker Run event.

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**MINUTES**

Moved by Councillor Osanic  
Seconded by Councillor Matheson

THAT the Minutes of City Council Meeting No. 21-2009, held Tuesday, November 3, 2009, Meeting No. 22-2009, held Tuesday, November 17, 2009, Meeting No. 01-2010, held Tuesday, December 1, 2009, and Meeting No. 03-2010, held Tuesday, December 15, 2009, be confirmed.

**CARRIED**

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**TABLING OF DOCUMENTS**

- 2010-08     Kingston Frontenac Public Library  
Minutes – Regular Meeting # 2009-08 – October 28, 2009  
(File No. CSU-R02-000-2010)
  
- 2010-09     Kingston Frontenac Public Library  
Minutes – Regular Meeting # 2009-09 – November 25, 2009  
(File No. CSU-R02-000-2010)
  
- 2010-10     Cataraqui Region Conservation Authority  
Minutes – Cataraqui Source Protection Committee – Meeting # 23, November 12, 2009  
(File No. CSU-D03-000-2010)
  
- 2010-11     Cataraqui Region Conservation Authority  
Minutes – Cataraqui Source Protection Committee – Meeting # 24, November 19, 2009  
(File No. CSU-D03-000-2010)

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**COMMUNICATIONS**

Council consented to the addition of Communication 04-046.

**Filed**

- 04-027     From J.L. Richards & Associates Limited, advising that it has been retained to assist Loyalist Township in completing a Schedule B Municipal Class Environmental Assessment (EA) Study to identify a preferred solution for improvements to the headworks and disinfection systems at the Bath Sewage Treatment Plant.  
(File No. CSU-E08-000-2010)

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- 04-028 From the Ontario Ministry of the Environment, inviting participation in the next stage of Ontario's review of the Waste Diversion Act.  
(File No. CSU-E07-000-2010)  
**(Digitally distributed to all Members of Council on December 9, 2009)**
- 04-029 From the Association of Municipalities of Ontario (AMO), advising that the Board of Directors supports the recommendations of the "Policy Framework for Affordable Access to Recreation for Ontarians" and will now seek commitment from the provincial and federal governments to move this important policy ahead.  
(File No. CSU-S04-000-2010)  
**(Digitally distributed to all Members of Council on December 9, 2009)**
- 04-030 From the Association of Municipalities of Ontario (AMO), advising that the Ministry of the Environment (MOE) has launched the second and final application period for the 2009-2010 Ontario Drinking Water Stewardship Program (ODWSP) and that applications are due by the end of the day, December 15, 2009.  
(File No. CSU-E06-000-2010)  
**(Digitally distributed to all Members of Council on December 9, 2009)**
- 04-031 From the Association of Municipalities of Ontario (AMO), advising that the Auditor General's 2009 report examines value-for-money in the administration of human services programs and safety inspections of bridges, including municipally owned structures.  
(File No. CSU-D18-000-2010)  
**(Digitally distributed to all Members of Council on December 9, 2009)**
- 04-035 From ABC CANADA Literacy Foundation, providing information regarding the "Sing for Literacy" theme for Family Literacy Day on January 27, 2010.  
(File No. CSU-M03-000-2010)
- 04-042 From Correctional Service Canada, extending their gratitude to City Council for proclaiming Restorative Justice Week 2009.  
(File No. CSU-M10-000-2010)

## COMMUNICATIONS (CONTINUED)

### Referred to All Members of Council

- 04-032 From Steve Page, expressing his concerns regarding the problems encountered by the Chair of the Municipal Accessibility Advisory Committee while making a presentation during the Council meeting on December 15, 2009.  
(File No. CSU-S14-000-2010)  
**(Distributed to all Members of Council on December 18, 2009)**
- 04-033 From Cynthia Bell, expressing her support of the possible relocation of the Domino Theatre to the Cook's Arena.

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(File No. CSU-A19-000-2010)

- 04-034 From the Limestone District School Board, advising that they have formed a Program and Accommodation Review Committee (PARC) to review future accommodation needs for the Kingston West and Loyalist Township areas and inviting a Member of Council to join the committee.  
(File No. CSU-D04-000-2010)
- 04-036 From the Corporation of the City of Kawartha Lakes, asking for Council's support of a resolution requesting that in advance of the issuance of any permits and the commencement or continuance of any projects that the appropriate Provincial Health Officials conduct a study of the adverse health effects now being experienced where windmill projects are fully operational to determine the possible adverse health effects; a full environmental study be done to determine the possible impact on the conservation areas and the Oak Ridges Moraine and that an independent economic impact study be done to determine all related potential costs that will be incurred by the Municipality and the effect on property values in the affected areas.  
(File No. CSU-E05-000-2010, CSU-C10-000-2010)
- 04-038 From the Corporation of the County of Grey, asking for Council's support of a resolution requesting that the Federal and Provincial government agencies responsible for public health, energy creation and energy management complete the following:
1. Dedicate resources to the necessary scientific research to consider the impact of:
    - a) low frequency noise; and
    - b) electrical and electromagnetic disturbances in areas of industrial wind turbines with the intent to confirm/deny public health implications; and
    - c) technology and infrastructure being used; and
  2. Create and provide authoritative regulations and guidelines for the locating of wind turbines to municipalities and wind energy developers.
- (File No. CSU-E11-000-2010, CSU-C10-000-2010)
- 04-040 From the Cataraqui Region Conservation Authority, asking Council to consider passing a resolution to accept the new delineations of the Intake Protection Zone 1 around the Point Pleasant and Kingston Central intakes as eligible areas for grants under the Ontario Drinking Water Stewardship Program (ODWSP) – Early Actions.  
(File No. CSU-E06-000-2010)

## COMMUNICATIONS (CONTINUED)

- 04-041 From the Township of Mapleton, asking for Council's support of a resolution requesting that the Government of Ontario, through the Ministry of Environment, issue a moratorium on wind energy projects until a health study has been completed by an independent third party.  
(File No. CSU-E05-000-2010, CSU-C10-000-2010)
- 04-043 From Sexual Assault Centre Kingston, requesting that Council proclaim March 8, 2010, as "International Women's Day" and March 6 to 15, 2010, as "International Women's Week" in the City of Kingston.  
(File No. CSU-M10-000-2010)  
**(See Miscellaneous Business Item No. 1)**  
**(Distributed to all Members of Council on December 23, 2009)**

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- 04-044 From the Ontario Task Group on Affordable Access to Recreation, requesting all municipalities endorse the recently created "Policy Framework on Affordable Access to Recreation for Ontarians".  
(File No. CSU-M02-000-2010)
- 04-045 From Parks and Recreation Ontario, providing information regarding two projects that support the Policy Framework on Affordable Access to Recreation for Ontarians: the 2009 report on the "Use and Benefits of Local Government Recreation and Parks Services" and the "Charter for Recreation and Parks in Ontario".  
(File No. CSU-S04-000-2010)
- 04-046 From Harold Pickering, providing his opinions regarding the report from the Kingston Environmental Advisory Forum (KEAF) on the environmental impact of the Poker Run.  
(File No. CSU-E05-000-2010)  
**(Distributed to all Members of Council on January 5, 2010)**

**Referred to the City Clerk**

- 04-037 From the BrownByrd Prostate Cancer Foundation, asking that Council proclaim February 2, 2010, as "Prostate Cancer Awareness Observance Day" in the City of Kingston.  
(File No. CSU-M10-000-2010)  
**(Distributed to all Members of Council on December 23, 2009)**
- 04-039 From Ms. Tricia Knowles, asking that Council proclaim 8:30 p.m. on March 27, 2010, as "Earth Hour" in the city of Kingston.  
(File No. CSU-M10-000-2010)  
**(Distributed to all Members of Council on December 23, 2009)**

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**BY-LAWS**

Council consented to the withdrawal of By-Law (4).

- (A) Moved by Councillor Foster  
Seconded by Councillor Hutchison

**THAT** By-Laws (1) through (3) and (5) be given their first and second reading.

**CARRIED**

- (B) Moved by Councillor Glover  
Seconded by Councillor Meers

**THAT** Clause 8.9 of By-Law No. 98-1 be suspended for the purpose of giving By-Laws (2) and (3) three readings.

**CARRIED**

- (C) Moved by Councillor Hutchison

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Seconded by Councillor Osanic

THAT By-Laws (2), (3) and (5) through (7) be given their third reading.

**CARRIED**

- (1) A By-Law To Amend By-Law No. 98-8, "A By-Law To Appoint Statutory Officials Of The Corporation Of The City Of Kingston" (to appoint Jannette Amini as Alternate Acting Clerk Pro Tem)  
FIRST AND SECOND READINGS PROPOSED NO. 2010-24  
(See Clause (b), Report No. 15)
- (2) A By-Law To Provide For An Interim Tax Levy; Payment Of Taxes By Instalment; Penalty And Interest At One And One Quarter Percent Monthly On Tax Arrears  
THREE READINGS PROPOSED NO. 2010-25  
(See Clause (a), Report No. 15)
- (3) A By-Law To Amend By-Law 98-1, "Council Procedural By-Law" (to amend Sections 3 (f) and 3 (g))  
THREE READINGS PROPOSED NO. 2010-26  
(See Clause (1), Report No. 19)
- (4) A By-Law To Provide For The Assumption Of The Public Highways In Eden Valley Estates Subdivision, Registered Plan 13M-35, In The City Of Kingston, In Accordance With Section 31(4) Of The Municipal Act, Chapter 25, S.O. 2001; And To Provide For The Acceptance By The City Of Kingston, Of The Associated Public Works Within  
THREE READINGS PROPOSED NO. 2010-27  
(Delegated Authority)
- WITHDRAWN**
- (5) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, January 5, 2010  
THREE READINGS PROPOSED NO. 2010-28  
(City Council Meeting No. 04-2010)

**BY-LAWS (CONTINUED)**

- (6) A By-Law To Amend "Schedule 1A" of By-Law No. 495, "A By-Law To Provide For A Parking Meter Zone In Certain Streets Or Portions Thereof, And To Provide For The Installation, Regulations, Supervision And Control Of Such Parking Meters" (amend parking restrictions on Earl Street)  
THIRD READING PROPOSED NO. 2010-8  
(See Clause (m), Report No. 7)
- (7) A By-Law To Amend By-Law No. 24, "A By-Law For Regulating Traffic In The Highways Of The City Of Kingston" (amend parking restrictions on Earl Street)  
THIRD READING PROPOSED NO. 2010-9  
(See Clause (m), Report No. 7)

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**ADJOURNMENT**

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Moved by Councillor Glover  
Seconded by Councillor MacLeod-Kane

**THAT** Council do now adjourn.

**CARRIED**

Council adjourned at 9:10 pm.

(Signed)

Carolyn Downs  
City Clerk

Harvey Rosen  
Mayor