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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 items:

(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

(2) THAT Council rise from the Committee of the Whole “In Camera” without reporting.

DISCLOSURE OF PECUNIARY INTEREST

PRESENTATIONS

(1) Ms. Corrie Abrams, Board Member of the Kingston and District Sports Hall of Fame, will present the inductees for 2010. Council agreed to allow this presentation by way of a motion on December 15, 2009.

DELEGATIONS

BRIEFINGS

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
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 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.

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.
REPORTS
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.

(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.

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

(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.

(See By-Law No. (10-051) is attached as Schedule Pages 10-27)

(File No. CSU-R01-000-2010)
REPORTS (CONTINUED)
REPORT NO. 16 OF THE CHIEF ADMINISTRATIVE OFFICER (RECOMMEND)

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

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

Christmas Schedule:
- December 16th Planning Committee meeting to be cancelled.
- December 23rd Arts, Recreation, and Community Policies Committee meeting to be rescheduled to December 16th, 2010.

Other Notable Recommended Changes:
- November 9th Environment, Infrastructure, and Transportation Policies Committee meeting to be rescheduled to November 18th, 2010, as a joint meeting with the Administrative Policies Committee, if necessary.
- November 11th Administrative Policies Committee meeting to be rescheduled to November 18th, 2010, as a joint meeting with the Environment, Infrastructure, and Transportation Policies Committee, if necessary.
- November 18th Planning Committee meeting to be cancelled.

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

REPORT NO. 17 OF THE MEMORIAL CENTRE REVITALIZATION ADVISORY COMMITTEE

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;

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


REPORT NO. 18 OF THE KINGSTON ENVIRONMENTAL ADVISORY FORUM

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,

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,
REPORTS (CONTINUED)
REPORT NO. 18 OF THE KINGSTON ENVIRONMENTAL ADVISORY FORUM

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 Creek 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.

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, is being distributed separately from the agenda.)
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

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 -
      THAT the by-law receive three consecutive readings at the same meeting.
      (See By-Law No. (3), 2010-26)
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) is attached as Schedule Pages 34-39)
(File No. CSU-F18-000-2010)

MISCELLANEOUS BUSINESS

Motions of Council are required:

(1) 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)

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, for the year 2010.

NOTICES OF MOTION

MINUTES

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.

(Meeting No. 21-2009 and No. 22-2009 - Distributed to all Members of Council on Friday, December 4, 2009)
(Meeting No. 01-2010 - Distributed to all Members of Council on Friday, December 18, 2009)
(Meeting No. 03-2010 - Distributed to all Members of Council on Thursday, December 31, 2009)
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)

COMMUNICATIONS

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

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)

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)

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.
(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)
COMMUNICATIONS (CONTINUED)

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)

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)

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)
COMMUNICATIONS (CONTINUED)

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)

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)

BY-LAWS

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

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

(C) THAT By-Laws (2) through (7) be given their third reading.

(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)
BY-LAWS (CONTINUED)

(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
(Delegated Authority)
PROPOSED NO. 2010-27

(5) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, January 5, 2010
THREE READINGS
(City Council Meeting No. 04-2010)
PROPOSED NO. 2010-28

(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
(See Clause (m), Report No. 7)
PROPOSED NO. 2010-8

(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
(See Clause (m), Report No. 7)
PROPOSED NO. 2010-9

ADJOURNMENT