

THIRTIETH Meeting - Regular Session

The Town of Oakville Council met in regular session this 19th day of September 2005 in the South Atrium of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Mayor - Ann Mulvale (Arrived 9:10 p.m.)
- Acting Mayor - Councillor Renee Sandelowsky
- Councillors - Tom Adams
- Keith Bird
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Jeff Knoll
- Mike Lansdown
- Ralph Robinson
- Chris Stoate
- Janice Wright
- Staff - M. J. Chechalk, CAO / Town Manager
- R. Green, Commissioner of Infrastructure Services
- G. Lalonde, Acting Commissioner of Corporate Services
- D. Lunardo, Commissioner of Community Services
- D. Carr, Town Solicitor
- N. deVaal, Director of Recreation & Culture
- C. McConnell, Manager of Current Planning and Urban Design
- P. Peebles, Supervisor, Scheduling & Permitting
- C. Best, Town Clerk
- K. Patrick, Supervisor of Council & Committee Services
- Regrets: Councillor - Fred Oliver

Declarations of Pecuniary Interest

Councillor Robinson declared a pecuniary interest with respect to Item C-1 – Queen Elizabeth School Property Acquisition of the Administrative Services Committee meeting of September 13, 2005 as he owns property that abuts Queen Elizabeth Park School.

Confirmation of Minutes of the previous Council Meeting(s)

Minutes of the Regular Session of Council, AUGUST 10, 2005

Minutes of the Special Session of Council, SEPTEMBER 12, 2005

Minutes of the Regular Session of Council, SEPTEMBER 12, 2005

Moved by Councillor Robinson

Seconded by Councillor Adams

That the minutes of the regular meetings of Council dated August 10, 2005 and September 12, 2005 and the special Council Meeting dated September 12, 2005, be approved.

CARRIED

DELEGATIONS

Ron Bidulka, Oakville Hornets, re: Ice Allocation Policy, Item #3 of the Community Services Committee meeting of September 13, 2005.

Mark O'Donnell, Oakville Speed Skating, re: Ice Allocation Policy, Item #3 of the Community Services Committee meeting of September 13, 2005.

STANDING COMMITTEE / COMMITTEE OF THE WHOLE REPORTS

2006 Budget Committee, SEPTEMBER 12, 2005

Moved by Councillor Knoll

Seconded by Councillor Duddeck

That the recommendations of the 2006 Budget Committee meeting of September 12, 2005 be approved.

CARRIED

Community Services Committee, SEPTEMBER 12, 2005

Moved by Councillor Duddeck

Seconded by Councillor Grant

That the recommendations of the Community Services Committee meeting of September 12, 2005 be approved, subject to the separation of Item 3 – Ice Allocation Policy and Item 4 – Region of Halton – Proposed Tree By-law for further discussion.

CARRIED

The Acting Mayor called for the vote on the recommendation from the Community Services Committee meeting of September 13, 2005 pertaining to Item 3 – Ice Allocation Policy.

MOTION LOST on a recorded vote Council voting as follows:

Recorded Vote

Yeas

Councillor Bird
Councillor Wright

Nays

Councillor Knoll
Councillor Grant
Councillor Elgar
Councillor Duddeck
Councillor Adams
Councillor Stoate
Councillor Sandelowsky
Councillor Robinson
Councillor Lansdown

Mayor Mulvale was not present for this vote.

(continued)

Community Services Committee, SEPTEMBER 12, 2005 continued

Moved by Councillor Robinson

Seconded by Councillor Adams

1. That the proposed new Ice Allocation Policy attached as Appendix 'B' to the report dated August 5, 2005 from the Department of Recreation and Culture be approved and be implemented for the 2006 / 2007 ice season to coincide with the opening of the second ice pad at the Glen Abbey Community Centre; and
2. That a one time subsidy be approved, for the Oakville Hornets and Oakville Speed Skating Club for the 2005 / 2006 season and that staff report back on the details of this subsidization, based upon the information available from both organizations and that this report identify for Council approval where such funding would be derived from.

Moved by Councillor Wright

Seconded by Councillor Bird

That consideration of Item 3 – Ice Allocation Policy as it applies to subsidies, be referred to the 2006 Budget Committee for review and if the full funding for the 2005 / 2006 season is approved by the 2006 Budget Committee that the subsidization be retroactive to the 2005 year.

MOTION LOST

Moved by Councillor Robinson

Seconded by Councillor Stoate

That the debate be closed.

In accordance with Section 6.6.2 of the Procedure By-law the Acting Mayor polled Members of Council to ensure all members had the opportunity to speak once. Upon receiving confirmation that this criteria had not been met, the vote was not called.

Moved by Councillor Knoll

Seconded by Councillor Grant

That clause 2 of the motion moved by Councillor Robinson and seconded by Councillor Adams be amended by the addition of the words "in principle" after the word 'approved'.

CARRIED

The Acting Mayor called for the vote on the motion moved by Councillor Robinson and seconded by Councillor Adams, as amended.

CARRIED on a recorded vote
Council voting as follows:

Recorded Vote

Yeas

Councillor Knoll
Councillor Grant
Councillor Elgar
Councillor Duddeck
Councillor Adams
Councillor Wright
Councillor Stoate
Councillor Sandelowsky
Councillor Robinson
Councillor Lansdown

Nays

Councillor Bird

(continued)

Mayor Mulvale having arrived during the debate of the Ice Allocation Policy did not participate in any of the discussion or voting of this item.

The Acting Mayor transferred the Chair to Mayor Mulvale at 9:35 p.m.

Community Services Committee, SEPTEMBER 12, 2005 continued

Moved by Councillor Elgar

Seconded by Councillor Adams

That the recommendation from the Community Services Committee meeting of September 13, 2005 pertaining to Item 4 – Region of Halton – Proposed Tree By-law be approved with the addition of the following:

That the Region of Halton be requested to include the definition of 'Good Forestry Practices' and 'Normal Farm Practices' as described in the letter dated September 1, 2005 from the Ministry of Natural Resources addressed to Mr. Ho Wong, Region of Halton in the proposed Tree By-law.

CARRIED

Administrative Services Committee, SEPTEMBER 12, 2005

Moved by Councillor Knoll

Seconded by Councillor Grant

That the recommendations of the Administrative Services Committee meeting of September 12, 2005 be approved.

The Mayor called for a separate vote on Confidential Item C-1 – Queen Elizabeth School Property Acquisition.

CARRIED

(Councillor Robinson having declared a pecuniary interest did not discuss or vote on this issue.)

The Mayor called for the vote to approve the remaining recommendations from the Administrative Services Committee meeting of September 12, 2005, excluding Confidential Item C-1.

CARRIED

The CAO / Town Manager announced the appointment of Douglas Carr to the position of Town Solicitor.

REGIONAL REPORTS AND QUESTION PERIOD REGARDING TOWN BOARDS AND ADVISORY COMMITTEES

Councillor Knoll, Region of Halton Representative for Halton Healthcare Services advised that the Minister of Public Infrastructure Renewal David Caplan, the Minister of Health and Long-term Care George Smitherman and MPP K. Flynn announced that the Province is supporting the expansion of the maternal child unit at the current Oakville Trafalgar Memorial Hospital site and that a new state-of-the-art hospital is to be built in Oakville.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Wright

Seconded by Councillor Duddeck

That this be authority to give first, second, third and final reading to the following by-laws:

2005-114 A by-law to assume certain land as part of a public highway (Parts 3 and 4, Plan 20R-6150 and Part 6, Plan 20R-3839 – Lakeshore Road West) (Re: CSC – Item #1)

2005-121 A by-law to provide payment of rebates to contributors who made contributions to candidates for office on the municipal council (Re: ASC – Item #6)

2005-132 A by-law to amend By-law 2003-230, being a by-law to make appointments to the Board of Management for the Bronte Village Business Improvement Area

CARRIED

Declarations of Pecuniary Interest

Mayor Mulvale declared a pecuniary interest with respect to Confidential Item C-2 - RRL Burloak, as her son is employed with First Professional.

Councillor Knoll declared a pecuniary interest with respect to Confidential Item C-2 - RRL Burloak, as he is the majority shareholder and CEO of a company that controls a theatre complex within Halton, and a theatre is proposed as a tenant on the subject site.

IN-CAMERA

Moved by Councillor Knoll

Seconded by Councillor Elgar

That Council resolve into a closed meeting session for the purpose of receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose relating to Confidential Items C1 and C2 and a personal matter about an identifiable individual, including municipal employees relating to Confidential Item C3.

CARRIED

Council resolved in-camera at 10:00 p.m. in the Oakville Room.

Agenda Items

C-2. RRL Burloak

- Confidential Verbal Update to the OMB Decision

Mayor Mulvale and Councillor Knoll having declared a pecuniary interest with respect to RRL Burloak were not in attendance in the Oakville Room and did not participate in the discussion or vote of this item.

(continued)

Item C-2 - RRL Burloak continued

Moved by Councillor Duddeck

Seconded by Councillor Adams

That the confidential verbal update with respect to the OMB decision regarding RRL Burloak as presented by the Town Solicitor be received.

CARRIED

(Mayor Mulvale and Councillor Knoll having declared a pecuniary interest were not in the room and did not participate in any discussion or vote with respect to this issue.)

Mayor Mulvale and Councillor Knoll returned to the in-camera session at 10:15 p.m.

C-1. Appeal of Decision of Committee of Adjustment 1441168 Ontario Ltd. (Waste Systems Ltd.) 1209 North Service Road East
- Confidential Report from the Legal Department, September 12, 2005

Moved by Councillor Wright

Seconded by Councillor Adams

That the Legal Department be directed to appeal the decision of the Committee of Adjustment (File C.A.V. A/134/2005) pertaining to the property at 1209 North Service Road East (1441168 Ontario Ltd. – Waste Systems Ltd.).

CARRIED

Motion to Proceed Past the Hour

Moved by Councillor Stoute

Seconded by Councillor Elgar

That this meeting proceed beyond the hour of 11:00 p.m., but no later than 11:30 p.m.

CARRIED

C-3. Human Resources Issue
- Confidential Report from the CAO Review Committee, September 16, 2005
(Distributed at the meeting to Members of Council only)

Moved by Councillor Knoll

Seconded by Councillor Duddeck

That the eight recommendations contained in the report dated September 16, 2005 from the CAO Review Committee be approved.

CARRIED

Council resolved out of camera at 11:28 p.m.

SECOND Meeting - Regular Session

The 2006 Budget Committee met in regular session this 13th day of September 2005, in the Oakville Room of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 5:00 p.m.

Present: Chairperson - Councillor Jeff Knoll
Mayor - Ann Mulvale
Councillors - Cathy Duddeck
- Ralph Robinson
- Chris Stoate

Staff: - M. J. Chechalk, CAO / Town Manager
- L. Reed, Commissioner of Corporate Services
- P. Elliott-Spencer, Acting Director of Finance & Treasurer
- N. Sully, Manager Client Support & Financial Reporting
- D. Cash, Commissioner Planning & Development
- R. Green, Commissioner Infrastructure Services
- D. Lunardo, Commissioner Community Services
- K. Patrick, Supervisor of Council & Committee Services
- D. Lecinski, Committee Coordinator

Also Present:
Councillors - Allan Elgar
- Mike Lansdown
- Fred Oliver

Councillor Knoll called the meeting to order at 5:00 p.m.

Regrets – None

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Agenda Items

Planning and Development Commission – Presentation on Services, Service Levels and 2006 Budget Issues

Moved by Councillor Robinson

That consideration of this item be deferred to a future meeting of the 2006 Budget Committee.

CARRIED

Opening Remarks from Councillor Knoll, Budget Chairperson

Opening Remarks from M. J. Chechalk, CAO / Town Manager

2006 Budget Process – Patti Elliott-Spencer, Senior Manager Financial Planning

Moved by Councillor Duddeck

That the 2006 Budget Committee Meeting schedule as adopted on May 16, 2005 be revised as follows, subject to there being no conflict with the 2006 Council & Committee schedule to be adopted by Council:

Service Level presentations (meetings #3 and #4):

Wednesday, November 2, 2005 from 1:00 – 4:00 p.m.

Wednesday, November 30, 2005 from 7:30 – 11:00 p.m.

Table Budget Discussions Document and Overview and Commission Presentations (meetings #5 and #6):

Monday, January 30, 2006 (afternoon)

Tuesday, January 31, 2006 (evening)

Budget Deliberations and Delegations (meetings #7 and #8):

Wednesday, February 15, 2006 (evening)

Thursday, February 16, 2006 (afternoon)

Budget Approval:

Monday, March 6, 2006 – Council meeting

CARRIED

Adjournment

Moved by Councillor Robinson

That this meeting now adjourn.

CARRIED

The meeting adjourned at 5:25 p.m.

FOURTEENTH Meeting - Regular Session

The Community Services Committee met in regular session this 13th day of September 2005, in Committee Room 1 of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:30 p.m.

- Present: Chairperson - Councillor Renee Sandelowsky
- Councillors - Cathy Duddeck
- Marc Grant
- Ralph Robinson
- Chris Stoate
- Janice Wright
- Staff - R. Green, Commissioner of Infrastructure Services
- D. Lunardo, Commissioner of Community Services
- N. deVaal, Director of Recreation and Culture
- D. Bloomer, Director of Engineering and Construction
- C. Mark, Director of Parks and Open Space
- P. Elliott-Spencer, Acting Director of Finance and Treasurer
- A. Ramsay, Manger of Long Range Planning
- L. Morgan, Committee Coordinator

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

AGENDA ITEMS

- 1. By-law 2005-114 – A by-law to assume certain land as part of a public highway (Parts 3 and 4, Plan 20R-6150 and Part 6, Plan 20R-3839 – Lakeshore Road West)**
- Report from the Legal Department, July 26, 2005

Moved by Councillor Wright

That By-law 2005-114 - a by-law to assume certain land as part of a public highway (Parts 3 and 4, Plan 20R-6150 and Part 6, Plan 20R-3839 – Lakeshore Road West), be passed.

CARRIED

- 2. Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF)**
- Report from the Finance Department and Engineering and Construction Department, August 26, 2005

Moved by Councillor Wright

1. That the Town submit an application under the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) program for the September 30, 2005 intake;

(continued)

Item 2 - Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) (continued)

2. That the project to be submitted is the Roadway Improvement Program (detailed in Appendix A) in the amount of \$2.85 million; and
3. That Council endorse this project as its highest priority for second intake submission to the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) program.

CARRIED

3. Ice Allocation Policy

- Report from the Department of Recreation and Culture, August 5, 2005

Moved by Councillor Wright

That the proposed new Ice Allocation Policy attached as Appendix B to the report dated August 5, 2005, from the Department of Recreation and Culture, be approved and be implemented for the 2006/2007 ice season to coincide with the opening of the second ice pad at Glen Abbey Community Centre.

CARRIED

4. Region of Halton – Proposed Tree By-law

- Report from Planning Services Department and Parks and Open Spaces, August 31, 2005

Moved by Councillor Wright

That the recommendations contained in Staff Report LPR-014/05, dated June 9, 2005, be approved.

CARRIED

5. Parks and Recreation Advisory Committee (July 6, 2005)

Moved by Councillor Wright

That the minutes of the Parks and Recreation Advisory Committee meeting of July 6, 2005, be received.

CARRIED

6. Accessibility Advisory Committee (July 14, 2005)

Moved by Councillor Wright

That the minutes of the Accessibility Advisory Committee meeting of July 14, 2005, be received.

CARRIED

7. **Harbours Advisory Committee** (August 24, 2005)

Moved by Councillor Wright

That the minutes of the Harbours Advisory Committee meeting of August 24, 2005, be received.

CARRIED

ADJOURNMENT

Moved by Councillor Wright

That this meeting now adjourn.

CARRIED

The meeting adjourned at 9:45 p.m.

TWELVETH Meeting - Regular Session

The Administrative Services Committee met in regular session this 13th, day of September, 2005 in the Oakville Room at the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

Present: Chairperson - Councillor Tom Adams

Mayor - Ann Mulvale

Councillors - Keith Bird
- Allan Elgar
- Jeff Knoll
- Mike Lansdown
- Fred Oliver

Staff: - L. Reed, Commissioner, Corporate Services
- C. Best, Town Clerk
- M. Millman, Manager of Realty Services
- K. Galione, Elections and Special Projects Manager
- P. Bouillon, Assistant Clerk
- N. Karamians, Committee Co-ordinator

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

Items

C-1. Queen Elizabeth School Property Acquisition

- Confidential Report from the Legal Department, August 24, 2005

Moved by Councillor Lansdown

That the confidential report from the Legal Department dated August 24, 2005, be received for information.

CARRIED

1. Application From Oakville Senior Citizens Residence to Conduct Lottery Events in the Town of Oakville

- Report from the Clerk's Department, August 16, 2005

Moved by Councillor Elgar

That the request from Oakville Senior Citizens Residence to conduct lottery events in the Town of Oakville be approved.

CARRIED

3. Request For a Minor Variance to the Sign By-law From Turner Chapel Antiques at 37 Lakeshore Road West

- Report from the Clerk's Department, September 13, 2005

Moved by Mayor Mulvale

That the request for a minor variance to the Sign By-law, submitted by Turner Chapel Antiques at 37 Lakeshore Road West, for a second ground sign on the property be approved as submitted in Appendix B of the Clerk's Department report dated September 13, 2005, conditional upon the sign being permitted to advertise Turner Chapel Antiques only and that no portion of the ground sign be situated any closer than 3.5 feet to the front property line.

CARRIED

2. Municipal Election 2003 – Matters Under Review Update

- Report from the Clerk's Department, August 25, 2005

Moved by Mayor Mulvale

That the August 25, 2005 report from the Clerk's Department relating to matters under review from the 2003 Municipal Election be received for information.

CARRIED

4. Ward Structure and Council Composition Review – Final Report

- Report from the Citizen's Task Force – Ward Structure and Council Composition, August 16, 2005

Moved by Mayor Mulvale

1. That the north/south ward boundaries concept proposed for implementation in 2009 be referred to the 2006 – 2009 Council in order that a full public review process may be held early in that term of Council in conjunction with the review of Regional Council representation;
2. That further information be provided during the future public review regarding the history of ward boundaries in Oakville post amalgamation and post the formation of the Region of Halton and that examples of ward configurations in other municipalities with populations of over 100,000 also be provided;
3. That staff be requested to initiate a review of Regional Council representation, in coordination with the Halton area municipalities and the Region of Halton in January 2007;
4. That a report, containing the final ward boundary map and the results of the Regional representation review be presented to the 2006-2009 Council in 2007; and
5. That the Citizens' Task Force on Ward Structure and Council Composition be disbanded having completed its Terms of Reference mandate and the members of the Task Force be thanked for their efforts and requested to consider returning to assist in the review of this matter within the next term of Council.

CARRIED

5. Governance – Council Financials

- Report from the Clerk's Department, August 25, 2005

Moved by Councillor Oliver

1. That a Citizens' Task Force of five (5) persons be appointed to review and report on Council Remuneration;
2. That the Membership of the Task Force include:
 - one Residents' Association representative
 - one former Member of Council
 - one representative of the business community (to be nominated by the Oakville Chamber of Commerce)
 - one representative of an Advisory Committee or Board
 - one citizen at large;
3. That the Terms of Reference for the Citizens Task Force for Council Financials, attached as Appendix "A" to the August 25, 2005 report be approved; and
4. That the Citizens' Task Force be requested to report back to the Administrative Services Committee no later than April 2006.

CARRIED

6. Municipal Election – Rebate Program

- Report from the Clerk's Department, August 24, 2005

Moved by Councillor Lansdown

1. That the 2006 Municipal Rebate Program be based on the model used in 2003 and that By-law 2005-121 be passed accordingly;
2. That the resolution attached as Appendix "A" to the report from the Clerk's Department dated August 24, 2005 be approved requesting the Federal and Provincial Orders of Government to review the potential to include contributions to municipal election campaigns as an income tax deduction; and
3. That the Clerk be requested to follow up with the Ministry of Municipal Affairs and Housing, recognizing that the legislative window of the present session is limited, addressing a means to review candidate's financial statements outside the privy of Municipal Council to ensure transparency in the municipal election process and the introduction of appropriate consequences for violations to legislative requirements.

CARRIED

Adjournment

Moved by Mayor Mulvale

That this meeting now adjourn.

CARRIED

The meeting adjourned at 9:35 p.m.