

**THIRTY-FOURTH Meeting - Regular Session**

The Town of Oakville Council met in regular session this 17th day of October 2005 in the South Atrium of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:30 p.m.

- Present: Mayor - Ann Mulvale
- Councillors - Tom Adams  
- Keith Bird  
- Cathy Duddeck  
- Allan Elgar  
- Jeff Knoll  
- Mike Lansdown  
- Fred Oliver  
- Ralph Robinson  
- Chris Stoate  
- Janice Wright  
- Renee Sandelowsky
- Staff - M. J. Chechalk, CAO / Town Manager  
- R. Green, Commissioner of Infrastructure Services  
- L. Reed, Commissioner of Corporate Services  
- D. Lunardo, Commissioner of Community Services  
- D. Carr, Town Solicitor  
- J. Courtemanche, Director of Corporate Communications  
- C. Best, Town Clerk  
- N. Karamians, Committee Coordinator
- Regrets: Councillor - Marc Grant

**Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

Mayor Mulvale advised that an additional confidential item (Item C-3) has been added to the agenda dealing with a property matter in accordance with Section 3.6 of the Procedural By-law.

**Confirmation of Minutes of the Previous Council Meeting(s)**

**Minutes of the Regular Session of Council, OCTOBER 3, 2005**

**Minutes of the Regular Session of Council, OCTOBER 11, 2005**

Moved by Councillor Wright

Seconded by Councillor Knoll

That the minutes of the regular meetings of Council dated October 3, 2005 and October 11, 2005, be approved.

CARRIED

**AGENDA ITEMS**

1. **Extended On-Street Parking Consideration**  
- **Report from the Department of Engineering and Construction,  
September 30, 2005**

Moved by Councillor Wright

Seconded by Councillor Knoll

That two (2) on-street parking permits for the resident of 101 Westchester Road be granted for the period October 18, 2005 to December 31, 2005.

CARRIED

2. **Ontario Municipal Board (OMB) Reform Working Group of Council – Status Update**  
- **Report from the Ontario Municipal Board (OMB) Reform Working  
Group of Council, October 6, 2005**

Moved by Councillor Stoate

Seconded by Councillor Duddeck

WHEREAS relevant Ontario Municipal Board (OMB) reform is recognized as good business, assisting the public, the development community and municipalities in comprehending policies and procedures; and

WHEREAS the foundation for OMB reform set by the Greater Toronto Area (GTA) Task Force represented by former Halton and Oakville Councillor Kevin Flynn and alternate Mayor Ann Mulvale is recognized and supported across the GTA and continued efforts to bring about OMB reform should be focused through this Task Force; and

WHEREAS the Provincial Government is expected to address legislative reforms with respect to OMB reform during the fall of 2005;

THEREFORE BE IT RESOLVED:

That Council's OMB Reform Working Group be authorized to continue to engage Premier McGuinty, and Minister Gerrestsen, in addition to the leaders of the opposition and the MPP's representing the GTA requesting support to have OMB reform listed on the legislature's order paper during this session, in order to enhance the government's ability to move forward in a prompt and positive direction;

That recognizing staff resources are committed to existing work plans, the firm of Temple Scott Associates be contracted to provide communication services with respect to OMB reform, in accordance with Phase One (Coalition Building) of the project guidelines proposed in Appendix A to the October 6, 2005 report of Council's OMB Reform Working Group;

That a contingency budget of \$50,000 be approved for the timely pursuit of OMB reform and that other GTA municipalities be encouraged to assist in funding a GTA focused communications plan associated with OMB reform; and

That any further requests for funding be referred to the 2006 Budget Committee.

*Mayor Mulvale, with the concurrence of Members of Council, called for consideration of Item 3 prior to voting on Item 2.*

3. **GTA Task Force on OMB Reform – Request for Endorsement**  
**- Report from the Town Clerk, October 12, 2005**

Moved by Councillor Knoll

Seconded by Councillor Elgar

That the 2005 Model Resolution reaffirming the Town of Oakville endorsement of the Report of the Greater Toronto Area (GTA) Task Force on Ontario Municipal Board (OMB) Reform, attached as Appendix A to the October 12, 2005 report of the Town Clerk, be endorsed.

CARRIED UNANIMOUSLY

2. **Ontario Municipal Board (OMB) Reform Working Group of Council – Status Update (Continued)**  
**- Report from the Ontario Municipal Board (OMB) Reform Working Group of Council, October 6, 2005**

*Mayor Mulvale transferred the Chair to Acting Mayor Stoate in order to speak to Item 2.*

*Acting Mayor Stoate transferred the Chair back to the Mayor.*

The Mayor called for the vote on the motion moved by Councillor Stoate and seconded by Councillor Duddeck.

CARRIED on a recorded vote  
Council voting as follows:

**Recorded Vote**

**Yeas**

Councillor Knoll  
Councillor Elgar  
Councillor Duddeck  
Councillor Bird  
Councillor Adams  
Councillor Wright  
Councillor Stoate  
Councillor Sandelowsky  
Councillor Robinson  
Councillor Lansdown  
Mayor Mulvale

**Nays**

Councillor Oliver

**IN-CAMERA**

Moved by Councillor Knoll

Seconded by Councillor Duddeck

That Council resolve into a closed meeting session for the purpose of receiving advice that is subject to a proposed or pending acquisition of land for municipal purposes relating to Items C1 and C3, and personal matters about an identifiable individual, including municipal employees relating to Item C-2.

CARRIED

Council resolved in-camera at 9:45 p.m.

**C-1. Acquisition of Lands on Ninth Line**

**- Confidential Report from the Legal Department, September 29, 2005**

Moved by Councillor Lansdown

Seconded by Councillor Knoll

1. That the acquisition of 0.188 acres from 2056594 Ontario Limited be approved;  
and
2. That the Mayor and Clerk be authorized to execute all required documentation for the acquisition.

CARRIED

**C-2. Personnel Matter**

**- Verbal Report from the CAO/Town Manager**

Moved by Councillor Wright

Seconded by Councillor Knoll

That the verbal report from the CAO/Town Manager relating to a personnel matter be deferred for consideration to a future meeting.

CARRIED

**BEYOND THE HOUR**

Moved by Councillor Lansdown

Seconded by Councillor Duddeck

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

CARRIED

**C-3. Oakville Soccer Club**

**- Confidential Report from the Commissioner of Community Services**

Moved by Councillor Lansdown

Seconded by Councillor Duddeck

1. That staff be authorized to prepare a Memorandum of Understanding with the Oakville Soccer Club with respect to the development of the proposed FIFA stadium and sports park subject to and consistent with the following principles:
  - a. Capital financing for the project be through Federal and/or other orders of government and may include Town approved private sector sources, with no funding from the Town except for those facilities which are currently within the Town's capital forecast, e.g. replacement of Palermo Park;
  - b. Private partnerships and funding shall be secured for any additional funding required beyond that which may be confirmed by other orders of government;

(Continued)

**C-3. Oakville Soccer Club - Continued**

- c. The Town is provided with the necessary requirements and draft agreements which may be required by the CSA or other levels of governments in order to assess the risk associated with the development of the stadium and the FIFA event and that this information is provided by the CSA prior to any award of the stadium location;
  - d. The Town enter into any necessary agreements with government agencies and organizations having jurisdiction with respect to capital financing, land acquisition, and site servicing associated with the development of the stadium;
  - e. The Town shall act as the lead agency with respect to design, tendering and construction process. The project would be a Town facility, similar to the Oakville Gymnastics project;
  - f. Site servicing of the site is achievable, through the Region of Halton within the time frames necessary to complete the stadium;
  - g. All costs associated with the running the "FIFA event" including but not limited to operational, administration, management, security and "fit up" costs shall be at no cost to the Town;
  - h. The Town shall not guarantee any cost overruns associated with the running of the FIFA event in 2007;
  - i. ORC grants approval to use their lands for the project and other Town recreational uses, including the replacement of Palermo Park. The Town enter into an agreement for the use of the Lands with the ORC;
  - j. The Town shall retain ownership of the stadium and the Oakville Soccer Club shall enter into an agreement for the operation and maintenance of the stadium and the soccer fields and be responsible for such costs including providing the Town with a business case that identifies the financial viability and sustainability of managing and operating the facility;
  - k. Confirmation by the CSA that Oakville is the site of the stadium no later than October 31, 2005.
2. That staff bring forward the draft Memorandum of Understanding to a future meeting for final approval and in the event that the CSA does not award the stadium to Oakville staff cease to pursue the development of the FIFA stadium initiative;
  3. That staff continue to pursue the Ontario Realty Corporation (ORC) lands on the north side of Dundas, east of Bronte Road, for the purpose of the replacement of Palermo Park and additional lands for other Town "recreational" uses, whether or not Oakville is selected as the stadium site for the Junior World Cup; and
  4. That recommendations 1, 2 and 3 be made public.

Moved by Councillor Sandelowsky

Seconded by Councillor Elgar

That Clause 3 of the motion moved by Councillor Lansdown and seconded by Councillor Duddeck be referred back to staff for further report.

LOST

The Mayor called for a separate vote on Clause 3 of the motion moved by Councillor Lansdown and Seconded by Councillor Duddeck as it relates to the inclusion of the words "other recreational uses".

CARRIED

The Mayor called the vote on the balance of the motion moved by Councillor Lansdown and seconded by Councillor Duddeck.

CARRIED

Council resolved out of camera at 11:01 p.m.

**CONSIDERATION AND READING OF BY-LAWS**

Moved by Councillor Duddeck

Seconded by Councillor Knoll

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

2005-171 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

**ADJOURNMENT**

Moved by Councillor Knoll

Seconded by Councillor Bird

That this meeting now adjourn.

CARRIED

The meeting adjourned at 11:05 p.m.

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ANN MULVALE  
MAYOR

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CATHIE L. BEST  
TOWN CLERK