

TWENTY-FIFTH Meeting - Regular Session

The Town of Oakville Council met in regular session this 15th day of June 2009, in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:04 p.m.

Present: Mayor - Rob Burton

Councillors

- Tom Adams
- Keith Bird
- Mary Chapin
- Cathy Duddeck
- Allan Elgar
- Marc Grant
- Alan Johnston
- Max Khan
- Jeff Knoll
- Roger Lapworth
- Fred Oliver
- Ralph Robinson (Left at 8:05 p.m.)

Staff

- R. Green, Chief Administrative Officer
- G. Lalonde, Commissioner of Corporate Services
- D. Bloomer, Commissioner of Infrastructure and Transportation Services
- D. Carr, Town Solicitor
- P. Elliott-Spencer, Director of Finance and Treasurer
- P. Sauvageot, Director of Internal Audit
- P. Bouillon, Assistant Clerk, Licensing and By-law Services
- N. Sully, Senior Manager, Financial Planning and Policy
- K. Patrick, Acting Clerk
- L. Morgan, Committee Coordinator

Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Confirmation of Minutes of the Previous Council Meeting(s)

Minutes of the Regular Session of Council, **JUNE 1, 2009**

Confidential Minutes of the Closed Session of Council, **JUNE 1, 2009**

Minutes of the Special Session of Council, **JUNE 2, 2009**Minutes of the Regular Session of Council, **JUNE 9, 2009**

Confidential Minutes of the Closed Session of Council, **JUNE 9, 2009**

Moved by Councillor Duddeck Seconded by Councillor Khan

That the minutes of the regular meetings of Council dated June 1, 2009 and June 9, 2009, the special meeting of Council dated June 2, 2009, and the closed meetings of Council dated June 1, 2009 and June 9, 2009, be approved.

CARRIED

Delegation(s)

Jim Bruzzese, President, B.M.A. Management Consulting Inc., on behalf of Oakville United and Halton Taxi Owners and Drivers, re: Taxicab Report and Taxicab Review Committee Minutes (May 14, 2009), Items 4 and 5 of the Administrative Services Committee meeting of June 10, 2009.

Jim Bolan, re: Taxicab Report and Taxicab Review Committee Minutes (May 14, 2009), Items 4 and 5 of the Administrative Services Committee meeting of June 10, 2009.

Suhkwinder Sandhu, re: Taxicab Report and Taxicab Review Committee Minutes (May 14, 2009), Items 4 and 5 of the Administrative Services Committee meeting of June 10, 2009.

Frank Martino, Owner, Halton Taxi Services, re: Taxicab Report and Taxicab Review Committee Minutes (May 14, 2009), Items 4 and 5 of the Administrative Services Committee meeting of June 10, 2009.

Waiving of Procedure By-Law

Moved by Councillor Khan

Seconded by Councillor Duddeck

That, in accordance with Section 3.4(2) of the Procedure By-law, leave be given to permit Jan Lis to speak as a delegate to the Taxicab Report and Taxicab Review Committee Minutes (May 14, 2009), Items 4 and 5 of the Administrative Services Committee meeting of June 10, 2009.

CARRIED

Delegation(s) (continued)

Jan Lis, re: Taxicab Report and Taxicab Review Committee Minutes (May 14, 2009), Items 4 and 5 of the Administrative Services Committee meeting of June 10, 2009.

Standing Committee / Committee of the Whole Reports

Audit Committee, **JUNE 10, 2009**

Moved by Councillor Knoll

Seconded by Councillor Johnston

That the recommendations of the Audit Committee meeting of June 10, 2009, be approved.

CARRIED

Confidential Report of the Audit Committee, **JUNE 10, 2009**

Moved by Councillor Knoll

Seconded by Councillor Lapworth

That the confidential report of the Audit Committee meeting of June 10, 2009, be approved.

CARRIED

(continued)

Moved by Councillor Johnston Seconded by Councillor Knoll

That the confidential supplemental information regarding Audit Committee Item 7 – 2009 Audit Findings Report, of the Audit Committee meeting of June 10, 2009, be received.

CARRIED

2010 Budget Committee, **JUNE 10, 2009**

Moved by Councillor Adams Seconded by Councillor Duddeck

That the recommendation of the 2010 Budget Committee meeting of June 10 2009, be approved.

CARRIED

Administrative Services Committee, **JUNE 10, 2009**

Moved by Councillor Khan Seconded by Councillor Duddeck

That the recommendations of the Administrative Services Committee meeting of June 10, 2009, be approved subject to the separation of Item 3 – Noise By-law Amendment, and Item 5 – Taxicab Review Committee Minutes (May 14, 2009).

CARRIED

Moved by Councillor Chapin Seconded by Councillor Khan

That the recommendation of the Administrative Services Committee meeting of June 10, 2009, with respect to Item 3 – Noise By-law Amendment, be approved.

CARRIED

Moved by Councillor Adams Seconded by Councillor Khan

That approval of the recommendation of the Administrative Services Committee meeting of June 10, 2009, with respect to Item 4 – Taxicab Report, be reconsidered.

CARRIED

Moved by Councillor Khan Seconded by Councillor Johnston

That By-law 2009-096, a by-law to amend By-law 2005-026 (The Oakville Taxicab Licensing By-law), as recommended in Item 4 of the Administrative Services Committee report, be passed as revised to replace Section 17(1) of By-law 2005-026 with the following amendment, and that Schedule 7 – Taxicab Drivers Dress Code be added, as revised, to include jeans and walking shorts:

(continued)

“17(1) operate a taxicab unless he/she complies with the Taxicab Driver’s Dress Code set out in Schedule 7 of this by-law.”

CARRIED

Moved by Councillor Adams Seconded by Councillor Johnston

That By-law 2005-026 be further amended by deleting Section 16(7) and replacing it with Section 16(7), to read as follows:

“16(7) give a passenger a receipt bearing the name of the taxicab company, the date of the fare, the taxicab plate number, the amount paid and the Goods and Services Tax (GST) number clearly printed thereon.”

CARRIED

The Mayor called for a separate vote on all remaining recommended clauses of the By-law.

CARRIED

Moved by Councillor Adams Seconded by Councillor Johnston

That the recommendation of the Administrative Services Committee meeting of June 10, 2009, with respect to Item 5 – Taxicab Review Committee Minutes (May 4, 2009), be approved, excluding Clauses 1 and 2 which were dealt with under Item 4, and subject to the separation of Clauses 3, 4 and 5.

CARRIED

The Mayor called for a separate vote on Clauses 3, 4 and 5 of Item 5 – Taxicab Review Committee Minutes (May 4, 2009).

CARRIED

The meeting recessed at 8:42 p.m. and reconvened at 8:48 p.m.

AGENDA ITEM(S)

1. Development Charges Background Study
- Report from Finance Department, June 10, 2009

Moved by Councillor Johnston Seconded by Councillor Lapworth

That the 2009 Development Charges Background Study prepared by Hemson Consulting and the Draft Development Charges By-law be received for consideration at the Statutory Public Meeting of June 29, 2009.

CARRIED

NEW BUSINESS

(Notice of Motion, Emergency, Congratulatory or Condolence)

In accordance with Section 6.1(2) of the Procedure By-law, the following Notice of Motion, moved by Councillor Robinson, seconded by Councillor Johnston, will be considered at the next Council meeting to be held on June 29, 2009.

Proposed Amendment to *Smoke Free Ontario Act*

That the Town of Oakville request the Regional Chair to write a letter to the Premier of Ontario, proposing an appropriate amendment to the *Smoke Free Ontario Act* to control the infiltration of second-hand smoke within multi-unit dwellings.

CONSIDERATION AND READING OF BY-LAWS

Moved by Councillor Grant

Seconded by Councillor Chapin

That the following by-law(s) be passed:

2009-081 A by-law to amend Town of Oakville Noise By-law 2008-098.
(Re: ASC Item 3)

2009-096 A by-law to amend By-law 2005-026 (The Oakville Taxicab
By-law), as revised. (Re: ASC Item 4)

2009-117 A by-law to confirm the proceedings of a meeting of Council.

CARRIED

ADJOURNMENT

The Mayor adjourned the meeting at 9:20 p.m.

ROB BURTON
MAYOR

KATHY PATRICK
ACTING CLERK

NINTH Meeting - Regular Session

The Administrative Services Committee met in regular session this 10th day of June, 2009 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:05 p.m.

Present: Chairperson - Councillor Max Khan

Councillors - Alan Johnston
- Jeff Knoll
- Fred Oliver

Staff - G. Lalonde, Commissioner of Corporate Services
- S. Switzer, Director, Capital Assets
- N. Chandra, Assistant Town Solicitor
- P. Bouillon, Assistant Clerk, Licensing and By-law Services
- L. Ferreira, Supervisor, Licensing and By-law Services
- B. Musson, Accessibility Administrator
- C. Tino, Committee Coordinator

Regrets: Mayor - Rob Burton
Councillors - Keith Bird
- Roger Lapworth

Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

AGENDA ITEMS

1. **2009 Annual Accessibility Plan**
- **Report from Capital Assets Department, May 5, 2009**

Moved by Councillor Johnston

1. That the 2009 Annual Accessibility Plan, outlining the 2008 accomplishments in barrier removals and the 2009 plans for further removal of barriers for persons with disabilities, be approved.
2. That the three year capital forecast contained in Section 5e of the 2009 Annual Accessibility Plan, be received and referred to as the basis for developing, prioritizing and submitting the projects list for accessibility related issues as administered by the Capital Assets department; and
3. That the three year forecast for barrier removals by Town departments contained in Section 5e of the 2009 Annual Accessibility Plan, be received, and that the removal of these barriers be the responsibility of individual departments or facilities, funded through departmental capital or operating budgets.

CARRIED

2. **Smoking Restrictions and Public Entrances and Exits**
- **Report from Capital Assets Department, May 26, 2009**

Moved by Councillor Knoll

That the Region of Halton be advised that the Town of Oakville consents to the passage of Regional By-law No. 24-09, being a by-law to prohibit smoking within nine metres from any entrance or exit of buildings owned or leased by the Regional Municipality of Halton or its local municipalities.

CARRIED

3. **Noise By-law Amendment**
- **Report from Legal Department, May 8, 2009**

Moved by Councillor Johnston

That By-law 2009-081, a by-law to amend the Town of Oakville Noise By-law 2008-098, be passed.

CARRIED

4. **Taxicab Report**
- **Report from Clerk's Department, May 4, 2009**

Moved by Councillor Johnston

That by-law 2009-096, a by-law to amend By-law 2005-026 (The Taxicab Licensing By-law) be passed, as revised by the following:

48. **Decisions of the Licensing Appeal Committee**

Pursuant to Section 23(2) of the *Municipal Act*, Council hereby delegates to the Licensing Appeal Committee, the power to make the final decision, subject to judiciary review only, in respect of which a hearing is held in accordance with this by-law, and it is the opinion of Council that this delegated power is of a minor nature. This delegation may be removed by Council at any time.

CARRIED

5. **Taxicab Review Committee (May 14, 2009)**

Moved by Councillor Johnston

That the following recommendation Item 5(a) – Taxicab Report, of the minutes of the Taxicab Review Committee from its meeting held on May 14, 2009 be approved and the remainder of the minutes be received:

1. That the Taxicab Review Committee referred consideration of dress code enhancements and a Taxicab Driver Dress Code to Council to make a determination (*Refer to Clause 1 and 2 of By-law 2009-096*);
2. That the Taxicab Review Committee recommend to Council that the Taxicab Licensing By-law 2005-026 be further amended, as follows:

(continued)

- a) by deleting Section 16(7) and replacing it with Section 16(7) as follows (*Refer to Clause 3 of By-law 2009-096*):

“16(7) give a passenger a receipt bearing the name of the taxicab company, the date of the fare, the taxicab plate number, the amount paid and the G.S.T. (Goods and Services Tax) number clearly printed thereon”; and

- b) by deleting Section 1(7) of Schedule 6 (Customer’s Bill of Rights) and replacing it with Section 1(7) as follows (*Refer to Clause 4 of By-law 2009-096*):

“1(7) a receipt as set out in Section 16(7) of this by-law.”

3. That the Taxicab Review Committee recommend to Council:

- a) That consideration of the plate-issuance ratio and Ambassador (Non-transferable) Taxicabs, be referred back to staff for further information, as follows (*Refer to Clause 5 of By-law 2009-096*):
- i) the ratio of taxicabs to population to include a larger range of municipal comparisons from other jurisdictions in Canada and the United States that are similar in size and nature to Oakville;
 - ii) staff to work with the taxicab brokerages in the review of expenditure and revenue levels within the taxicab brokerages and the cost structure on the taxicab brokerage side and on an average vehicle; and
 - iii) population density (high, medium and low) data for the lands located north and south of Dundas Street;
- b) That staff be requested to work with the Chair of the Taxicab Review Committee in the review of the additional information as requested; and
- c) That staff be requested to report back to the Taxicab Review Committee.

4. That the Taxicab Review Committee recommend to Council:

- a. That staff be requested to prepare an amendment to the Taxicab Licensing By-law 2005-026, with respect to the requirement that taxicab plate owners enter into written contracts with all taxicab drivers for service, and the contracts to be filed with the Town of Oakville; and
- b That staff be requested to report back on the draft amendment to the Taxicab Review Committee.

5. That the Taxicab Review Committee recommend to Council that the Taxicab Licensing By-law 2005-026 be amended, by deleting Section 24(1), which reads, “be actively affiliated with more than one licensed taxicab broker at any one time”.

6. That the Taxicab Review Committee recommend to Council that consideration of the fee for wheelchair accessible taxicab plates be referred to staff for review.

(continued)

7. That the Taxicab Review Committee recommend to Council that staff be requested to report back with respect to the issue of taxicab drop-off and pick-up to and from the Toronto Airport, and what can be done for Oakville taxicab drivers to have access to airport service.

CARRIED

ADJOURNMENT

Moved by Councillor Knoll

That this meeting now adjourn.

CARRIED

The meeting adjourned at 7:55 p.m.