

**THE CORPORATION OF THE MUNICIPALITY OF
CHATHAM-KENT**

CHATHAM-KENT COUNCIL MEETING

COUNCIL CHAMBERS, CHATHAM-KENT CIVIC CENTRE

February 1, 2010

4:00 P.M.

1. CALL TO ORDER

The Mayor called the meeting to Order.

Present were: Mayor Randy Hope, Councillors Brown, Clarke, Crew, Faas, Fluker, Gilbert, Herman, King, McGregor, Parsons, Pickard, Pinsonneault, Robbins, Stirling, Sulman, Vercooteren, and Weaver

Absent: None

**2. DISCLOSURES OF PECUNIARY INTEREST
(DIRECT OR INDIRECT) AND THE GENERAL NATURE THEREOF**

3. RECESS TO CLOSED SESSION

4. ADJOURNMENT OF CLOSED SESSION

5. APPROVAL OF SUPPLEMENTARY AGENDA

There was no supplementary agenda.

**6. DISCLOSURES OF PECUNIARY INTEREST (DIRECT OR
INDIRECT) AND THE GENERAL NATURE THEREOF**

Councillor McGregor declared a conflict of interest with regard to a land property matter on the Closed Session agenda. He requested that Councillor Fluker bring forward the Closed Session Report at the appropriate time.

Councillor Sulman declared a conflict of interest with regard to a land property matter on the Closed Session Agenda.

Councillor Pinsonneault declared a conflict of interest with regard to labour relations item on the Closed Session Agenda.

Councillor Brown declared a conflict of interest with regard to labour relations item on the Closed Session Agenda.

7. DEPUTATION

- (a) Brian Locke, Fisheries Assessment Supervisor, Ministry of Natural Resources re Update on Rondeau Bay Initiatives

Mr. Locke provided Council with an update on some of the initiatives of the Ministry of Natural Resources, as well as other Ontario and Federal Government agencies and bodies with regard to the Rondeau Bay Watershed to address the issues of weeds and improve ecosystems in the area.

Councillor Herman requested an update on the strategy for cleaning up the channels in Rondeau Bay. Mr. Locke noted that there is a strong interest in the community to have better navigation throughout Rondeau Bay. There have been a number of options considered including, cutting of the vegetation, limited use of herbicides and use of channel markers. He explained that cutting weeds is very expensive due to the large amount of weeds that need to be disposed of. Using herbicide is limited due to restrictions by the Ministry of Natural Resources. The DFO put forward some funding for channel markers, however the funding was not sufficient to complete the project. Additional funding from the DFO will be requested this year to extend the channel marker project.

Councillor Stirling questioned the degree of improvement residents will see in the near term. Mr. Locke noted that a reduction in the algae will be seen in the near term. Getting to a point where the bay is no longer shallow and weedy will depend on water levels. Councillor Stirling questioned to what degree the septic issues in the communities that border Rondeau Bay are effecting the ecosystem. Mr. Locke noted that the septic issues have a substantial impact on the nutrient load problem in Rondeau Bay.

Councillor Sulman believed that there should be a balance between the protection of the fish, flora and fauna of the bay and the human use of the bay. He felt that an area of the bay should be cleared for recreation purposes.

Mayor Hope questioned if there is an overall assessment of what Chatham-Kent needs to accomplish in the way of nutrient management and the creation of sediment ponds in order for the agricultural runoff to be eliminated. Mr. Locke noted that there are fourteen major tributaries that have been ranked as providing issues for the bay. Currently a ten year plan is being developed to address the areas of concern along the tributaries.

Councillor Herman moved, Councillor Stirling seconded:

“That the presentation be received for information.”

The Mayor put the Motion

Motion Carried

8. CONSENT AGENDA

- (a) Information Reports
- (i) 2010 Memberships
 - (ii) Perpendicular Parking on Front of Store Fronts in Chatham-Kent
 - (iii) Chatham-Kent Museums Business Plan Update
 - (iv) Active Communities Steering Committee Annual Report

- (b) Routine Approvals
 - (i) Public Highway Dedications, Communities of Chatham, Chatham Township, Dover, Harwich, Raleigh and Tilbury East
- (c) Committee Reports
 - (i) Chatham-Kent Board of Health minutes from its meeting held on December 16, 2009
 - (ii) Chatham-Kent Accessibility Advisory Committee minutes from its meeting held on January 19, 2010
 - (iii) Wallaceburg Community Task Force minutes from its meeting held on December 10, 2009
- (d) Council Meeting Minutes (to be approved)
 - (i) Chatham-Kent Council Meeting minutes from its meeting held on August 24, 2009

Action – Council to advise the Clerk of any items to be removed from the Consent Agenda and placed aside for consideration and debate separately.

Motion – That the items listed on the Consent Agenda be approved as presented and that action be taken as required (excluding any items placed aside).

Action – Items placed aside will now be discussed

Councillor Vercooterren requested that Item #8(b)(i)- Public Highway Dedications, Communities of Chatham – Chatham Township, Dover, Harwich, Raleigh and Tilbury East –be placed aside for discussion.

Councillor Stirling requested that Items 8(a)(i) – 2010 Memberships, 8(a)(iii) - Chatham-Kent Museums Business Plan Updated, 8(a)(iv) – Active Communities Steering Committee Annual Report and 8(c)(iii) – Wallaceburg Community Task Force minutes from its meeting held on December 10, 2009, be placed aside for discussion

Councillors Crew requested that Item 8(a)(ii) – Perpendicular parking in Front of Store Fronts in Chatham-Kent, be placed aside for discussion.

Councillor Robbins moved, Councillor Vercooterren seconded:

“That the items listed on the Consent Agenda be approved as presented and that action be taken as required, excluding those items placed aside.”

The Mayor put the Motion

Motion Carried

8(a)(i) – 2010 Memberships

MUNICIPALITY OF CHATHAM-KENT

CHIEF ADMINISTRATIVE OFFICE

INFORMATION REPORT

TO: Mayor and Members of Council

FROM: Rob Browning
Chief Administrative Officer

DATE: January 11, 2010

SUBJECT: 2010 Memberships

This report is for the information of Council.

BACKGROUND

In 2008, Council by notice of motion requested that memberships to various Regional and Provincial bodies be reviewed and that a process of appointments to such Regional and Provincial bodies be reviewed by Council to ensure ongoing and consistent representation by Council and for the Municipality of Chatham-Kent.

The following outlines the fees for the current memberships:

	2007	2008	2009	2010
FCM (Federation of Canadian Municipalities)	\$12,551.56	\$12,864.89	\$13,297.59	
AMO (Associations of Municipalities of Ontario)	\$10,572.77	\$10,892.26	\$11,265.53	\$11,948.98
WOWC (Western Ontario Wardens' Caucus)	\$1,000.00	\$1,000.00	\$1,000.00	discontinued
SWEA (Southwest Economic Assembly)		\$10,500 (paid from the Economic Development budget)	Mayor Hope Vice Chair for 2009 and 2010	
LUMCO (Large Urban Mayors Caucus of Ontario)				

In addition to the above memberships, the following Councillors represent the committee of Councils, listed below, that are mandated by the Province or are a corporate body established under the Conservation Authority Act of Ontario:

Councillor Marjorie Crew Councillor Brian King Councillor Larry Robbins Councillor Tom McGregor	Chatham-Kent Board of Health
Mayor Randy Hope Councillor Fluker	Chatham-Kent Police Services Board
Councillor Faas Councillor McGregor	St. Clair Region Conservation Authority
Councillor King Councillor Stirling Councillor Pinsonneault	Lower Thames Valley Conservation Authority
Councillor Parsons	Thames Sydenham Region Drinking Water Protection

COMMENTS

Appendix A outlines the benefits of FCM, AMO and SWEA as per their website. The cost of attending these meetings is mileage and when necessary, the cost of a hotel

and meals. The agenda for meetings is reviewed prior and if attendance is required and the Mayor or CAO is not able to attend, administration contacts Council and/or administrative staff to attend.

If Council would like the Municipality to participate in any additional memberships, or have representatives sit on any of the task force of these groups, please advise administration.

CONSULTATION

Budget and Performance Services were informed that the memberships for 2010 for FCM and AMO will be renewed.

FINANCIAL IMPLICATIONS

The invoices for 2010 are being processed as they are received and it is expected that invoices for 2010 may increase by approximately 3% from the previous year. The increase in cost will be covered with the funds from the WOWC membership not being renewed.

Prepared by:

Reviewed by:

Dawna Urquhart
Executive Coordinator to the CAO

Rob Browning
Chief Administrative Officer

Councillor Stirling requested a list of all the significant organizations that the municipality belongs to beyond the three major ones that Mayor Hope and Council are members of. The Chief Administrative Officer noted that the list provided is what was requested through the notice of motion; however he agreed to bring back a report of other associations that staff participate on, along with the associated costs.

Councillor Stirling moved, Councillor Crew seconded:

“That the report be received for information.”

The Mayor put the Motion

Motion Carried

8(a)(ii) – Perpendicular Parking in Front of Store Fronts in Chatham-Kent

MUNICIPALITY OF CHATHAM-KENT

COMMUNITY DEVELOPMENT AND PLANNING SERVICES

BUILDING, ENFORCEMENT AND LICENSING SERVICES

INFORMATION REPORT

TO: Mayor and Members of Council

FROM: Paul Lacina, C.B.O., Director
Building, Enforcement and Licensing Services

DATE: January 15, 2010

SUBJECT: Perpendicular Parking in Front of Store Fronts in Chatham-Kent

This report is for the information of Council.

BACKGROUND

Currently, there are no municipal regulations in place to address the following issue of perpendicular parking in front of store fronts in Chatham-Kent.

At the Council meeting of October 5, 2009, a Notice of Motion from Councillor Crew was approved that "The administration review the issue of perpendicular parking in front of store fronts and that this review, with recommendations, be returned to Council by January 2010."

The intent of the Notice of Motion was to investigate the feasibility of modifying parking layouts for retail/commercial properties either to install safety features [i.e. jersey curbs or bollards] along walkways skirting store fronts or to replace perpendicular parking spaces with parallel parking spaces in front of store fronts. The request was made in response to an incident in which a vehicle jumped the curb, resulting in the death of a pedestrian.

In addition, a petition was circulated by concerned citizens requesting "that cement pillars be installed along the side walk at the shopping plaza located at 835 Queen Street Chatham Ontario to prevent another tragedy." In the Council information package dated October 26, 2009, administration reported that 2,477 unconfirmed signatures were received on October 5, 2009. Since that date, an additional 240 unconfirmed signatures were received, bringing the total to 2,717 unconfirmed signatures. A copy of the first page of the petition is included with this report as Attachment A.

COMMENTS

Administration searched municipal websites and communicated with a number of planners in other Ontario municipalities, but was unsuccessful in locating any bylaws or provisions to address the issue of perpendicular parking in front of store fronts. The Senior Planner and Chief Building Official discussed a blanket prohibition on perpendicular parking; however, this approach was discounted as it would compromise the development of smaller sites that would not be able to meet the parking requirements.

In the case of new developments, it was decided that the issue of perpendicular parking would be best addressed through site plan control rather than through specific zoning regulation.

To encourage existing developments to alter their parking designs to include additional safety measures, administration recommends that a press conference be scheduled to outline the safety concerns and to introduce the new provisions for site designs. Administration would work with developers to ensure that site designs consider the safety aspects of driveways, parking spaces and pedestrian walkways.

Under site plan control, the placement of parking spaces perpendicular to sidewalks or doors and windows may be prohibited unless the parking design incorporates protective landscape features such as bollards or concrete planters. In addition, pedestrian walkways would be emphasized and clearly designated to avoid conflicts with cars.

CONSULTATION

Planning Services was consulted and has reviewed the report to Council.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from this report.

Prepared by:

Reviewed by:

Paul Lacina, C.B.O., Director
Building, Enforcement & Licensing Services

Don Shropshire, General Manager
Community Development & Planning Services

In response to a question by Councillor Crew, the Director of Building, Enforcement and Licensing Services explained that it was decided to address the issue of perpendicular parking through site plan control. This will allow administration to work with developers on site by site basis.

Councillor Crew questioned what can be done with existing parking lots. The Director of Building, Enforcement and Licensing Services explained that administration does not have the authority to make developers remove existing parking; however administration will be working on an education program to make developers aware of the safety concerns.

Councillor Crew moved, Councillor Fluker seconded:

“That the report be received for information.”

The Mayor put the Motion

Motion Carried

8(a)(iii) – Chatham-Kent Museums Business Plan Update

MUNICIPALITY OF CHATHAM-KENT
COMMUNITY DEVELOPMENT AND PLANNING SERVICES
COMMUNITY SERVICES – CULTURE AND SPECIAL EVENTS
INFORMATION REPORT

TO: Mayor and Members of Council

FROM: Dave Benson, Heritage Coordinator

DATE: January 13, 2010

SUBJECT: Chatham-Kent Museums Business Plan Update

This report is for the information of Council.

BACKGROUND

At the January 19, 2009 Council meeting, Councillor Crew presented a Notice of Motion

that administration review the 1999 Chatham-Kent Museums Business Plan and provide a report to Council with:

- a) An analysis of 1999 recommendations - those that were implemented and not implemented;
- b) Updated recommendations for needs and improvements; and
- c) A plan for inclusion of other Chatham-Kent historical sites and societies in the business plan.

Council added the amendment "that administration provide a six month progress report with a final report before Council within one year". The motion was carried.

In July 2009, Council received an Information Report updating the progress of this project. All historical organizations in Chatham-Kent had been identified and contact information was collected. (Note: Criteria for inclusion was that the organization's primary mandate, as defined by their constitution, was to research, preserve, or promote local history.) A data sheet was then sent to all identified organizations asking questions including legal status of the organization, meeting dates, programs offered, collections, size of membership, annual budget, and sources of income. Responses were recorded for all of the identified organizations. This has provided a solid database on the current status/development of these societies.

The next step was to determine where the organizations *would like to be*; the potential and the vision of membership as well as the problems/restrictions of realizing the vision. A second survey was sent out in May 2009 to each organization that included a Strengths, Weaknesses, Opportunities & Threats (S.W.O.T.) analysis as well as other questions for them to think about and discuss collectively. Responses were summarized and developed into a presentation.

Consultation also took place between the Heritage Coordinator and other municipal staff to discuss heritage organization funding and other issues related to the feedback that was received from the S.W.O.T. survey.

A meeting with the Chatham-Kent Historical Organizations was held on November 4, 2009, where the results of the data collection were presented. Input was presented by several municipal staff on relevant topics, and discussions were held regarding a "go forward" plan. The meeting was very well attended, with volunteers and staff representing seventeen historical organizations and museum sites present.

COMMENTS

A detailed analysis of the 1999 Chatham-Kent Museums Business Plan is included as Attachment A. A detailed summary of the S.W.O.T. survey is included as Attachment B.

A summary of this survey as well as the consensus arising from the Chatham-Kent Historical Organizations meeting and the consultation with other municipal staff is as follows:

The SWOT analysis nearly unanimously identified several opportunities that would benefit all historical organizations. These were discussed in turn at the meeting held on November 4 and consensus was reached on the following action items:

- Contact information: All historical societies identified a benefit in having contact information for all the other sites. A comprehensive contact information list has now been created and sent to all historical organizations.

- Mailing List/Notification: It was agreed that organizations would appreciate receiving notice of grants, volunteer awards, and other items of interest from the Municipality and also from other historical organizations. A group e-mail has been set up where information can be sent out quickly and easily from the Municipality and to each other.
- Occasional meetings: The organizations felt that occasional meetings to discuss issues of common concern, networking opportunities, and/or to have workshops/learning sessions in grant writing, volunteer recruitment, membership development, etc. would be useful. It was stressed that the meetings must be purposeful, with a specific agenda, and not too frequent. Another meeting of the group has been scheduled for April 4, 2010. A presentation/workshop by a guest speaker on one of the previously mentioned topics will be incorporated into the meeting.
- Advice: Some organizations indicated that access to assistance with writing grant applications, conservation, and collections management would be a benefit. Contact information for the provincial Museums Advisor and municipal Heritage Coordinator were provided.
- Web Site: The need for a web site that provides information on each historical organization as well as contact information, resources, and meeting/program dates was identified. The Cultural Development Coordinator advised the attendees that a Trillium Grant application has been submitted through Theatre Kent, which is intended to fund the development of just such a site. The organizations will be kept informed as this project progresses.
- Funding: All organizations indicated that funding was an issue. Most, however, had not previously applied to existing funding sources. Contact information was supplied for the provincial Historical Organizations Development Grant (HODG) through the Ministry of Culture. As well, the Manager of Partnership Development discussed the municipal Community Partnership Fund. It was also explained that a Core Grant Review Committee will be developing recommendations over the next year for a process of allocating core grant funding.

One of the January 19, 2009 directives from Chatham-Kent Council with respect to historical societies was to develop a plan for inclusion of other Chatham-Kent historical sites and societies in the business plan. In light of the review of the core grant process that the Manager of Partnership Development has initiated and the obvious need for consistency between funding programs for historical organizations and other not-for-profit groups (not to mention the desire not to have multiple municipal departments duplicating work), there are no further recommendations for inclusion of other historical societies in a business plan at this time.

The Heritage Coordinator has been included in the Core Grant Review Committee and will represent historical organizations through this process. Following the development of a new core grant allocation program, a business plan for historical organizations that is consistent with the new funding process will be re-visited. Comparator statistics that have been collected from other communities, particularly models from London and Kingston, will be reviewed in conjunction with this larger project.

CONSULTATION

All identified historical organizations and museums within Chatham-Kent have been, and will continue to be consulted.

The Cultural Development Coordinator, Culture and Special Events has been consulted and contributed information on the development of a web site that will benefit historical organizations.

The Manager, Partnership Development, Chief Administrative Office has been consulted and provided information regarding a core grant review.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from this Information Report. All financial implications regarding the updating of the Chatham-Kent Museums Business Plan will be incorporated in the overall restructuring of core grants that will be developed through the Partnership Development Office with input from the Heritage Coordinator.

Prepared by:

Reviewed by:

Dave Benson, B.A., M.A.
Heritage Coordinator

Evelyn Bish, Director
Community Services

Reviewed by:

Don Shropshire, General Manager
Community Development and Planning Services

Councillor Stirling requested clarification on the cost increase associated with the Milner House. The Heritage Coordinator explained that the funding to Milner House has not changed, but for ease of preparing variances the wages for the staff person working at Milner House was transferred to the Milner House budget line.

Councillor Stirling noted that the report references the Core Grant Review Committee. He questioned if this is the body that decides how dollars are allocated to community groups. Mayor Hope noted that the appropriate staff is not in attendance to answer that question and this information would have to be sent to Council via email.

In response to a question by Councillor Faas, the Heritage Coordinator explained that any group with an interest in heritage preservation is welcome to be included on the heritage mailing list.

Councillor Gilbert questioned if recommendations with a strategy on how to move forward with the Chatham-Kent Business Plan will come before Council. The Heritage Coordinator noted that as a result of Councillor Crew's notice of motion, administration investigated how to ensure that access to funding more equal amongst the historical organizations.

Councillor Stirling moved, Councillor Vercooteren seconded:

“That the report be received for information.”

The Mayor put the Motion

Motion Carried

8(c)(iv) – Active Communities Steering Committee Annual Report

MUNICIPALITY OF CHATHAM-KENT
INFRASTRUCTURE AND ENGINEERING SERVICES
INFORMATION REPORT

TO: Mayor and Members of Council

FROM: Leo Denys, P.Eng., General Manager
Infrastructure and Engineering Services

DATE: December 21, 2009

SUBJECT: Active Communities Steering Committee Annual Report

This report is for the information of Council.

BACKGROUND

During the 2009 budget process, Council approved that the Active Communities Steering Committee become a Committee of Council.

At the March 23, 2009 regular meeting of Council the terms of reference was approved for the committee and Councillors Weaver and Parsons were appointed Council representatives to the Active Communities Steering Committee.

COMMENTS

A high level summary of the Active Communities Steering Committee's activities in 2009 is listed below:

Active Communities Steering Committee activities to date

1. Set-up committee structure and filled all positions.
2. Developed and gained Council approval of vision, mission, and mandate
3. Developed urban bike routes
 - a. Created sub-committee to develop urban bike routes
 - b. Held a series of public meetings to gain feedback on proposed routes
 - c. Held public meeting to discuss Gregory Drain Trail, committee working to develop this plan
 - d. Held public meeting regarding Lacroix Street bike lane
 - e. Held public meeting to discuss Victoria Avenue bike lanes
 - f. Presented routes to Council for approval
 - g. Tendered and recommended award of pavement marking contract for Council approval
 - h. Completed pavement marking for Urban Bike routes
 - i. Preliminary media releases issued regarding bike routes
 - j. Committee working on a plan to get bike racks installed throughout C-K
 - k. Applied for a Transportation Demand Management grant for 50% cost of a \$100,000 project (bike racks, signage, educational literature and programming).
4. School Travel Planning (Safe Routes to School)
 - a. Reviewed and commented on new sidewalk policy
 - b. A sub committee for the Blenheim area has met and will continue meeting in 2010 to work through a "School Travel Planning" model. [Active and Safe Routes to School has nationally evolved to become "School Travel Planning"]. Sub committee members consist of Municipal, Public Health, an ACSC member, Police Services, Ministry of Transportation representative, St. Clair District Catholic School Board. Committee members will be recruiting additional key stakeholders for 2010.
5. Development of rural bike routes
 - a. Sub-committee formed to develop rural routes

- b. Committee members have suggested routes
 - c. Using Google maps, committee members are creating rural theme bike routes with points of interest. These routes will be linked to the municipal web site.
6. Trail Development
- a. Committee was updated on Trails Master Plan which was completed and adopted by Council
7. Other Activities
- a. Tourism - Product Development Officer attended a meeting to talk about Cycling Tourism
 - b. A member of the Committee has been appointed to work with the "R U Safe" committee to get coordinated messages out to the public.
 - c. Committee members met with planning department to see how the Committee could influence new subdivision designs. The Manager, Parks, Cemeteries & Horticulture will act in the Committee's best interests at TAC to facilitate Active Communities in new proposals.

Active Communities Committee Plans of upcoming year

1. Committee to develop a series of press releases regarding cycling/motorist safety, for the spring of 2010.
2. Committee to develop plan for rural bike routes
3. Committee to prioritize bike route projects
4. Committee to prioritize trail development

CONSULTATION

The Committee Chair, a Public Health Nurse, and the Manager, Parks, Cemeteries, and Horticulture were consulted in the writing of this report.

FINANCIAL IMPLICATIONS

There are no financial implications of this report and the committee continues to work within and make recommendations regarding the Committee budget set by Council.

Prepared by:

Leo Denys, P.Eng.
General Manager
Infrastructure and Engineering Services

Councillor Stirling requested that the South Kent Councillors be invited to attend meetings of the School Travel Planning Subcommittee and receive minutes when schools located in South Kent are being discussed.

Councillor Stirling moved, Councillor Vercooterren seconded:

"That the report be received for information."

The Mayor put the Motion

Motion Carried

8(b)(i) – Public Highway Dedications, Communities of Chatham, Chatham Township, Dover, Harwich, Raleigh and Tilbury East

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

ROUTINE APPROVAL

TO: Mayor and Members of Council

FROM: Mark Ceppi
Engineering Technician

DATE: January 19, 2010

SUBJECT: Public Highway Dedications
Communities of Chatham, Chatham Township, Dover, Harwich, Raleigh
and Tilbury East

Multiple land parcels acquired by the Municipality of Chatham-Kent for roadways require by-law approval to be dedicated as Public Highway.

Sass Road, Community of Chatham

A law firm conducting a property search for 535 Park Avenue East (OPP Station) has identified a one foot reserve located adjacent to their client's property. The one foot reserve is located on the west side of Sass Road between Park Avenue East and the CN Railway. The law firm requests that the one foot reserve be removed and dedicated as a public highway in order to provide legal access onto Sass Road.

Administration has reviewed the request and recommends that the one foot reserve be dedicated as public highway that is part of Sass Road. A Public Highway Dedication by-law is listed on the Council agenda for reading.

McNaughton Avenue East, Community of Chatham Township

A law firm conducting a property search for a client has identified a land parcel that was transferred to the Municipality of Chatham-Kent for road widening purposes but has not been dedicated as public highway. The parcel is described as Part 9 on Plan 24R 5152 and is located adjacent to 595 McNaughton Avenue East. The law firm requests that the land parcel be dedicated as a public highway in order to provide legal access onto McNaughton Avenue East.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of McNaughton Avenue East. A Public Highway Dedication by-law is listed on the Council agenda for reading.

Grand River Line, Community of Dover

A law firm conducting a property search for a client has identified a land parcel that was transferred to the Former County of Kent for road widening purposes but has not been dedicated as public highway. The parcel is described as Part 1 on Plan 24R 6144 and is located adjacent to 7258 Grand River Line. The law firm requests that the land parcel be dedicated as a public highway in order to provide legal access onto Grand River Line.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of Grand River Line. A Public Highway Dedication by-law is listed on the Council agenda for reading.

Fairview Line, Community of Harwich

A law firm conducting a property search for a client has identified land parcels that were transferred to the Former County of Kent for road widening purposes but have not been dedicated as a public highway. The parcels are described as Part 22, 29, 30, 31, 32 and 33 on Plan 24R 1527 and are located adjacent to 10355 Fairview Line. The law firm requests that the land parcels be dedicated as a public highway in order to provide legal access onto Fairview Line.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of Fairview Line. A Public Highway Dedication by-law is listed on the Council agenda for reading.

River Line, Community of Harwich

Various land parcels were transferred to the Municipality of Chatham-Kent as part of a Subdivision Agreement for the development of residential properties along the north side of River Line near Mull Road. These parcels, described as Part 2 and 6 on Plan 24R 8083 and Block 6 on Registered Plan 24M 888, were transferred for the purpose of widening River Line. The land has not yet been dedicated as a public highway.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of River Line. A Public Highway Dedication by-law is listed on the Council agenda for reading.

Eighth Line, Community of Raleigh

A law firm conducting a property search for a client has identified a land parcel that was transferred to the Former County of Kent for road widening purposes but has not been dedicated as a public highway. The parcel is described as Part 23 on Plan 24R 2115 and is located adjacent to 6514 Eighth Line. The law firm requests that the land parcel be dedicated as a public highway in order to provide legal access onto Eighth Line.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of Eighth Line. A Public Highway Dedication by-law is listed on the Council agenda for reading.

Talbot Trail, Community of Raleigh

A land parcel was transferred to the Municipality of Chatham-Kent as a condition for consent approval to create an estate residential lot at 6474, 6496 and 6498 Talbot Trail. This parcel, described as Part 3 Plan 24R 8493, was transferred for the purpose of widening Talbot Trail. The land has not yet been dedicated as a public highway.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of Talbot Trail. A Public Highway Dedication by-law is listed on the Council agenda for reading.

Merlin Road, Community of Raleigh and Tilbury East

A law firm conducting a property search for a client has identified multiple land parcels that were transferred to the Former County of Kent for road widening purposes but have not been dedicated as a public highway. The parcels are described as Part 1, 2, 3, 4 and 5 on Plan RD 180 and are located along the east and west sides of Merlin Road between Pollard Line and Ninth Line. The law firm requests that the land parcels be dedicated as a public highway in order to provide legal access onto Merlin Road.

Administration has reviewed the request and recommends that the land be dedicated as a public highway that is part of Merlin Road. A Public Highway Dedication by-law is

listed on the Council agenda for reading.

Prepared by:

Reviewed by:

Mark Ceppi
Engineering Technician
Engineering & Transportation Division

Leo Denys, P. Eng.
General Manager
Infrastructure & Engineering Services

In response to a question by Councillor Vercooteren, the Director of Engineering and Transportation explained that the parcels are dedicated to the municipality and are normally paid for prior to the dedication.

Councillor Vercooteren moved, Councillor Faas seconded:

“That the report be received for information.”

The Mayor put the Motion

Motion Carried

8(c)(iii) – Wallaceburg Community Task Force minutes from its meeting held on December 10, 2009

Councillor Stirling noted previous discussion by Council regarding making a model of the Wallaceburg Task Force for possible development in other communities. He questioned the status of a report coming back to Council on this subject.

Councillor Gilbert sought clarification on how to get on the list for a secondary plan. The General Manager of Community Development and Planning Services explained the Planning Department is establishing additional priorities for 2010. Secondary plans will not be available for all communities.

Councillor Stirling moved, Councillor Parsons seconded:

“That the minutes be received for information.”

The Mayor put the Motion

Motion Carried

9. NOTICES OF MOTION

- (a) Presentation of New Notices of Motions

There were no new notices of motion.

10. TENDER AWARDS

- (a) Tender Award: Contract T09-242 – Rehabilitation of Couatts line Bridge over King & Whittle Drain, Community of Tilbury East, Municipality of Chatham-Kent

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

ENGINEERING AND TRANSPORTATION DIVISION

TO: Mayor and Members of Council

FROM: Stephen Jahns, P.Eng.
Manager, Infrastructure and Transportation
Engineering and Transportation Division

DATE: January 12, 2010

SUBJECT: Tender Award: Contract T09-242
Rehabilitation of Coutts Line Bridge over King & Whittle Drain
Community of Tilbury East, Municipality of Chatham-Kent

RECOMMENDATIONS

It is recommended that:

1. The tender in the amount of \$ 291,310.95 (\$ 277,439.00 plus 5% GST) for the work associated with Contract T09-242 Rehabilitation of Coutts Line Bridge over King & Whittle Drain be awarded to Signature Contractors of Windsor, Ontario.
2. The Treasurer issue and sell debentures to raise funds to cover the cost of this project.
3. Pending the sale of the debentures, the Mayor and Treasurer be authorized to borrow temporary funds, as may be required, in order to meet the payments due to vendors.

BACKGROUND

This contract consists of the rehabilitation of the following bridge structure (originally constructed circa 1955) found within the Municipality of Chatham-Kent Bridge and Culvert Inventory:

Coutts Line Bridge over King & Whittle Drain
Community of Tilbury East
BridgeTMS 4681194N17383608E

Bi-annual inspections have been conducted by the Municipality of Chatham-Kent (as legislated under the *Public Transportation and Highway Improvement Act*) to continually monitor the condition of the structure and to ensure public safety. As of the last legislated inspection, the subject structure was documented as illustrating continued overall deterioration and warranting rehabilitation.

COMMENTS

Engineering and Transportation Division charged Stantec Consulting with the task of preparing recommendations regarding the rehabilitation of the subject structure. Stantec Consulting reviewed the structure to ensure continued safe use by the general public while developing a plan for the structure.

The subject structure is in the same general vicinity as two other projects in the Community of Tilbury East which have been approved for funding under the

Infrastructure Stimulus Fund. These structures are:

- Coutts Line over Baptiste Creek
- Coutts Line over Government Drain 1

A Public Information Centre was held in January in the Community of Tilbury. The purpose of this meeting was to update and inform area residents as to the proposed works associated with all three structures and the approximate timing for same. Works associated with the structures over Baptiste Creek and Government Drain 1 will be completed upon completion of this contract.

The project was let for competitive public tender in December of 2009. The Purchasing Officer received and opened tenders for the work on January 7, 2010. The tender results were as follows:

Tender Results		
Contract T09-242 Reconstruction of Coutts Line Bridge over King & Whittle Drain Community of Tilbury East, Municipality of Chatham-Kent		
Base Rank	Bidder and Location	Tender Amount (incl. GST)
1	Signature Contractors - Windsor, Ontario	\$ 291,310.95
2	Facca Incorporated – Ruscom, Ontario	\$ 296,992.50
3	Intrepid General – Chatham, Ontario	\$ 318,045.00
4	Ben Bruinsma and Sons Limited – Chatham, Ontario	\$ 371,660.12
5	Mark G. Contracting – Tilbury, Ontario	\$ 376,677.00
6	Front Construction – Windsor, Ontario	\$ 389,598.96 – Note A
7	Carlington Construction – Stoney Creek, Ontario	\$ 399,378.00
8	Vince Ferro Construction – Windsor, Ontario	\$ 417,617.55 – Note A
9	Amico Design Build – Oldcastle, Ontario	\$ 477,750.00
10	Elmara Construction Limited – Oldcastle, Ontario	\$ 490,562.49 – Note A
11	Clearwater Structures – Ajax, Ontario	\$ 575,368.50

Note A – Tender amount adjusted for mathematical error – no change in the rank of bids received
 Note B – All prices shown above include a contingency allowance of \$40,000

Work may begin anytime after award and execution of the necessary agreements. Under the requirements of the contract, all work associated with this contract must be completed by April 23, 2010. Department of Fisheries and Oceans (DFO) requirements prohibit “in water work” between March 15th and June 30th of each calendar year.

Signage will be posted at the subject structure in advance of mobilization to advise residents of the duration of the construction period.

The impact of this contract on area traffic flow was discussed at the Public Information Centre. Due to geometric constraints and to facilitate the nature of the work, the entire site will be closed to vehicular and pedestrian traffic for the duration of the work. Signage will be posted at the subject structure in advance of mobilization to remind residents of the duration of the construction period.

COMMUNITY STRATEGIC PLAN

The recommendations in this report support the following objectives and strategic directions:

A. Health – We are a healthy community

A1: Provide sufficient capacity to sustain community health and economic growth

B. Economy – We are a prosperous community

B3: Maintain and enhance new and existing infrastructure to support economic and smart growth opportunities

Desired Outcomes

- Provide safe, accessible, convenient and efficient public transportation
- Support new infrastructure investments and modernize existing infrastructure

The recommendations will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

The Tenders were opened by the Purchasing Officer and reviewed by the Tendering Committee comprised of the Purchasing Officer, Corporate Services, the Director, Financial Services/Treasurer, Corporate Services and the Director, Engineering and Transportation Division of Infrastructure and Engineering Services.

FINANCIAL IMPLICATIONS

Stantec Consulting has reviewed the tenders and notes that they are complete in all respects. Project fees (consultant fees, costs of construction, etc.) associated with this lifecycle contract will be funded through the Bridge Lifecycle Budget. The current project is summarized in the following table:

Financial Implications Contract T09-242 Rehabilitation of Coutts Line Bridge over King & Whittle Drain Community of Tilbury East, Municipality of Chatham-Kent		
A) Project Costs	Recommended Tender	\$ 291,310.95
	Engineering – Design, Tendering, Contract Admin.	\$ 58,000.00 ^A
	Geotechnical / Material Testing	\$ 15,000.00 ^A
	Less GST Rebate 5%	\$ (13,871.95) ^B
	Total Current Project Costs	\$ 350,439.00
B) Expenditures to Date	2009 Bridge Lifecycle Funding	\$ 12,000,000.00
	Less Previously Approved Projects:	
	T09-145 Rehabilitation of Bear Line Bridge over McFarlane Drain	\$ (665,575.00)
	T09-137 Replacement of 4 th Line Bridge over Barton Drain	\$
	T09-153 Rehabilitation of Princess Street Bridge	(217,900.00)
	T09-155 Thirteenth Line over Flook & Hinton Drain	\$
	T09-153 Middle Line over King & Whittle Drain	(1,744,390.00)
	T09-152 Snye Road over McDonald Tap Drain	\$
	T09-170 Mull Road over McGregor Creek	(531,982.00)
	T09-215 Bridge Beam Repairs	\$
	T09-210 Murray Street Bridge Roadway Traffic Gate Replacements	(606,300.00)
	T09-158 Seventh Line Bridge over Waddick Drain	\$ (597,725.60)
	T09-172 Thirteenth Line over 18/19 Sideroad Drain	\$ (698,150.02)
	T09-198 Canal Street over Thompson Paulus Drain	\$ (106,850.00)
	T09-224 Victoria Road over McCargon Drain	\$
	T09-131 Talbot Trail Bridge Replacements	(188,141.00)
	T09-197 Jeannette's Creek Road Bridge over Forbes	\$
	T09-177 Reconstruction of Oldfield Line Maxwell Drain	(594,617.75) \$
	T09-221 Prairie Siding Bridge – MES Upgrades	(413,180.00)
	T09-194 Base Line Bridge – MES Upgrades	\$ (350,000.00) \$ (223,122.04)

		\$ (1,350,250.00)
		\$ (411,900.00)
		\$ (284,800.00)
		\$ (911,000.00)
		\$ (205,103.00)
	Less Current Project: T09-242 Rehabilitation of Coutts Line Bridge over King & Whittle Drain	\$ (350,439.00)
	2009 Bridge Lifecycle Balance Remaining	\$ 1,548,584.59
C) Funding Opportunities	Subsidy Received from Federal Gas Tax: T09-146 Bear Line Bridge over McFarlane Drain T09-153 Middle Line over King & Whittle Drain T09-198 Canal Street over Thompson Paulus Drain	\$ 500,000.00 ^C \$ 606,300.00 ^C \$ 350,000.00 ^C
	COMRIF Funding:	\$ 0.00
	Infrastructure Stimulus Funding: T09-153 Rehabilitation of Princess Street Bridge	\$ 1,162,926.67 ^D
	Total Funding Opportunities to Date	\$ 2,619,226.67
D) Summary	Net Potential Impact of Current Project on 2009 Bridge Lifecycle Funding	\$ 350,439.00
<p>Note A: Costs identified by consultant are estimated budgets only and subject to change based on actual hours required to undertake and complete work.</p> <p>Note B: GST rebate calculated on tender price only – consultant fees shown are already exclusive of GST</p> <p>Note C: This project is being funded through a contribution from the <i>Transfer of Federal Gas Tax Revenues Under the New Deal for Cities and Communities Agreement</i> as administered by AMO.</p> <p>Note D: Project will be funded through the Infrastructure Stimulus Fund with equal funding contributions by the Federal, Provincial and Municipal Governments.</p>		

Prepared by:

Reviewed by:

Stephen Jahns, P.Eng.
Manager, Infrastructure and Transportation
Engineering and Transportation Division
Infrastructure and Engineering Services

Gary Northcott, P. Eng.
Director
Engineering & Transportation Division
Infrastructure and Engineering Services

Reviewed by:

Leo Denys, P. Eng.
General Manager
Infrastructure and Engineering Services

Councillor King moved, Councillor Fluker seconded:

“That

- The tender in the amount of \$ 291,310.95 (\$ 277,439.00 plus 5% GST) for the work associated with Contract T09-242 Rehabilitation of Coutts Line Bridge over King & Whittle Drain be awarded to Signature Contractors of Windsor, Ontario.**

2. **The Treasurer issue and sell debentures to raise funds to cover the cost of this project.**
3. **Pending the sale of the debentures, the Mayor and Treasurer be authorized to borrow temporary funds, as may be required, in order to meet the payments due to vendors.”**

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Motion Carried

- (b) Tender Award: For the Rotary Park Renewal Project – Contract No. T09-230

MUNICIPALITY OF CHATHAM-KENT

COMMUNITY DEVELOPMENT AND PLANNING SERVICES

COMMUNITY SERVICES – PARKS, CEMETERIES AND HORTICULTURE

TO: Mayor and Members of Council

FROM: Deborah Veccia
Supervisor, Chatham Parks

DATE: January 18, 2010

SUBJECT: Tender Award for the Rotary Park Renewal Project - Contract No. T09-239

RECOMMENDATION

It is recommended that:

1. The firm of Westhoek Construction Ltd. be retained to complete the grandstand, dugouts and backstop for the Rotary Park Renewal Project at a cost of \$416,370.

BACKGROUND

On May 11, 2009 the governments of Canada and Ontario announced the Recreational Infrastructure Canada Program (RInC) that supports upgrades to community recreation facilities over the next two years. Eligible projects included local hockey rinks, swimming pools, multi-purpose facilities and other community sites with physical recreational

emphasis.

The RInC Program in Ontario is intended to provide a timely, targeted stimulus to the Ontario economy through investments that spur construction activity related to existing recreational infrastructure. Beyond the economic stimulus and job creation, renewing, rehabilitating and modernizing Chatham-Kent's recreational infrastructure has the added benefit of encouraging higher levels of physical activity and community building.

At the May 25, 2009 Council meeting, Council authorized administration to prepare and submit applications for several RInC projects, which included the Rotary Park Renewal Project in the Community of Chatham as a provincial-level playing facility.

On June 30, 2009 both the federal and provincial governments announced the Municipality was approved for projects totalling \$7,117,668. This amount included the Rotary Park Project.

Due to time sensitivity and the seasonal nature of the work that has to be completed, a tender was advertised in December 2009 with a closing date of January 7, 2010. A mandatory site plan meeting was held on December 17, 2009.

COMMENTS

The entire scope of the project includes rebuilding the permanent grandstand with press box, sunken players' dugouts, new concrete walkways throughout the park to aid in access, playing field upgrades, fencing and lighting enhancements. The tender let in December 2009 included only the covered grandstand, dugouts and backstop. The remainder of the scope of work will be completed later in the year.

Four completed tenders were received and opened by the Purchasing Officer on January 7, 2010. One tender has since been revoked by the bidder. The tenders considered were as follows:

BIDDER	AMOUNT (plus GST)
Westhoek Construction Ltd.	\$416,370
Bill Hoekstra General Contracting	\$462,858
Intrepid General	\$540,750

It is recommended that the firm of Westhoek Construction Ltd. be retained to complete the grandstand, dugouts and backstop for the Rotary Park Renewal Project at a cost of \$416,370.

Under the requirements of the contract, all work associated with this contract must be completed by Friday, April 16, 2010 to allow for park usage for the 2010 playing season.

The following is the proposed timeline for the grandstand, dug outs and backstop project:

Monday, February 15, 2010	Construction begins
Friday, April 16, 2010	Construction Completed
Monday, May 3, 2010	Field use begins

Project funding consists of the Federal Share of \$141,960 and the Provincial share of \$141,960, totaling \$283,920. The Municipality's share was \$141,960. The dugouts will be covered through the 2009 Lifecycle Budget, for a total project fund of \$453,880. The expenses of the project include the tender cost of \$416,370, the architect cost of \$23,500 and administrative cost of \$5,600 for a total project expense of \$445,470. The positive balance of \$8,410 will be used towards the work to be completed later in the year.

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objectives and strategic directions:

A: Health – We are a healthy community

A3: Promote healthy lifestyles

B: Economy – We are a prosperous community

B1: Promote and market Chatham-Kent

B2: Make Chatham-Kent a business-friendly community and a desirable leisure destination

C: Environment – We are a green community

C1: Develop pride in the community for its environmental assets

Desired Outcomes/Proposed Activities

- Promote wellness, improve lifestyle choices and expand upon healthy behaviours to build a sustainable healthy system
- Develop leisure/cultural venues that support a progressive community and business attraction activities
- Develop Chatham-Kent as the business and leisure destination of choice in Ontario

The recommendation will not adversely impact the remainder of the Community Strategic Plan.

CONSULTATION

Director, Budget and Performance Services was consulted and provided information on the funding sources for the project.

Manager, Infrastructure and Transportation Services was consulted and provided information on the scope of work and reviewed the technical drawings.

Purchasing Officer, Corporate Services opened and reviewed the tenders in consultation with the project architect and engineer.

Chatham Minor Baseball Association reviewed the tenders and recommends moving forward with the completion of the project.

FINANCIAL IMPLICATIONS

The reserve for the local share of the Infrastructure programs has a balance of \$4,800,000. As presented during the 2009 budget deliberations, other sources of funds include other reserves, draw from future lifecycle provisions and possibly some debt depending on the nature of the projects(s) approved through the RInC Funding.

Rotary Park Renewal Project	
Funding:	
- RinC Funding	(\$283,920)
- Municipal portion	(\$141,960)
- Lifecycle 2009 carry forward (dugouts)	<u>(\$ 28,000)</u>
	(\$453,880)
Expenses:	
- Recommended Tender	\$416,370
- Architect	\$ 23,500
- Administrative costs (soil testing and site preparation)	<u>\$ 5,600</u>
	<u>\$445,470</u>
Balance to be used towards the remainder of the Scope of Work for the Project	(\$ 8,410)

Operational impacts for this project have been included in the supplementary budget for consideration during 2010 budget deliberations.

Prepared by:

Deborah Veccia, D.P.A., CMMIII
Supervisor
Chatham Parks

Reviewed by:

Reviewed by:

Evelyn Bish
Director
Community Services

Don Shropshire
General Manager
Community Development & Planning Services

Councillor Clarke moved, Councillor Crew seconded:

“That the firm of Westhoek Construction Ltd. be retained to complete the grandstand, dugouts and backstop for the Rotary Park Renewal Project at a cost of \$416,370.”

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Motion Carried

11. INFRASTRUCTURE AND ENGINEERING SERVICES

- (a) Property Expropriation, Beattie Street, Base Line Road Storm Sewer Pumping Scheme Outfall Sewer, Community of Wallaceburg

MUNICIPALITY OF CHATHAM-KENT

ENGINEERING & WATER/WASTEWATER SERVICES

INFRASTRUCTURE AND ENGINEERING SERVICES

TO: Mayor and Members of Council

FROM: Gary Northcott, P. Eng.,

Director, Engineering and Transportation Division

DATE: January 12, 2010

SUBJECT: Property Expropriation, Beattie Street, Base Line Road Storm Sewer
Pumping Scheme Outfall Sewer
Community of Wallaceburg

RECOMMENDATION

It is recommended that:

1. Administration be authorized to commence the expropriation process for property for the permanent and working easements identified as Parts 1, 2, 3 and 4 on registered Plan 24R-8823.

BACKGROUND

In May of 2009, Council met in Closed Session on this property matter and authorized staff to commence the expropriation process for the permanent and temporary easements required as negotiations with the property owner were not successful. This report deals with the approval to commence the expropriation process for the Outfall Sewer to be constructed from the newly operational Base Line Road Storm Water Pumping Scheme to the Sydenham River. The existing outfall sewer while retained is undersized and needs to be twinned with a larger capacity sewer to accommodate the greater pumping capacity of the station.

COMMENTS

Appraisals were completed for the project in 2007 on behalf of the Municipality. The appraisals included this section required for the Outfall Sewer. The solicitor appointed to handle the proceedings will be proceeding with the process once the expropriation approval by Council is formally given.

This should enable the Municipality to secure the property required for construction and prepare for tenders to be called later this spring when all other approvals for the project have been obtained by the consultant, Dillon Consulting. The construction would be within the set back area of the property given the normal zoning setbacks and would not impact on future development of the property.

The Municipality has consulted legal counsel on the expropriation process which is as follows:

- Council authorizes the commencement of the process.
- Application for expropriation be given to the Clerk and Notice of Application for expropriation is served upon the owner(s) and published in Chatham-Kent Matters once a week for three consecutive weeks.
- Owners have thirty (30) days to request a Hearing of Necessity.
- Council considers recommendations arising from the Hearing of Necessity, if any, and determines whether or not to pass a by-law expropriating the land.
- If the expropriation is approved, a Plan of Expropriation is registered and a notice of expropriation is served upon the owner(s).
- Compensation is offered to the owner(s). If the amount for compensation is agreed upon the process is complete. If appropriate compensation cannot be agreed upon this issue is referred to the Ontario Municipal Board for negotiation and/or arbitration.

We are at the first bullet point in the process at this time. It is anticipated that the costs, excluding the land values, including legal, additional appraisals and survey works would be approximately \$10,000.

It is recommended at this time that Council authorize the commencement of the Expropriations Act process for lands as set out in Appendix A.

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objectives and strategic directions:

- A: Providing a Safe and Caring and Healthy Environment
 - A2: Providing adequate infrastructure to support, enhance and sustain existing and future growth.

Desired Outcome/Proposed Activity:

- Increase in improvement to the storm water drainage infrastructure.

The recommendation will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

Director, Legal Services and the Municipal Clerk, Corporate Services have been consulted regarding this recommendation.

The municipal solicitor has reviewed and concurs with the recommendation in this report.

FINANCIAL IMPLICATIONS

The expropriation and property costs will be covered in the overall project costs set out and encumbered from the 2009 Capital Budget.

Prepared By:

Gary Northcott, P. Eng.,
Director
Engineering and Transportation Division

Reviewed By:

Reviewed By:

Leo Denys, P. Eng.,
General Manager
Infrastructure and Engineering

Rob Browning
Chief Administrative Officer

Councillor McGregor moved, Councillor Parsons seconded:

“That administration be authorized to commence the expropriation process for property for the permanent and working easements identified as Parts 1, 2, 3 and 4 on registered Plan 24R-8823.”

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Motion Carried

(b) Notice of Motion – Councillor Gilbert re Crow Proof Garbage Containers

Councillor Gilbert moved, Councillor Robbins seconded:

“That garbage receptacles for the area of the former City of Chatham, be crow proof.”

Councillor Gilbert noted that this is a long term problem that affects the health, sanitation, and community pride of the former City of Chatham. She felt that garbage containers will eliminate a food source for the crows and deal with the subsequent littering that results from crows ripping open plastic garbage bags. Councillor Gilbert noted that a coupon program could be developed for those that cannot afford to purchase a garbage container. She further noted that mandating crow proof garbage containers will require alterations to the garbage receptacle by-law, property standards by-law, and littering by-law. Littering fines would have to be imposed on those that do not comply with the crow proof garbage containers.

Councillor Vercouteren questioned the cost of the current crow control contract. The Director of Drainage, Asset and Waste Management explained that the contract costs \$57,000. The General Manager of Infrastructure and Engineering Services explained that this contract is renewed annually.

Councillor Brown noted that a similar motion was brought forward by Councillor Robbins less than a year ago. He questioned if a two-thirds vote is required to reopen this discussion. The Municipal Clerk read Councillor Robbins notice of motion that was defeated at the January 19, 2009 Council Meeting. Councillor Gilbert noted that the motion made by Councillor Robbins incorporated all of Chatham-Kent, while her motion is specific to the residents of the former City of Chatham. Mayor Hope noted that a two-third vote is not required.

Councillor Crew questioned the ramifications of moving to closed garbage containers. The Director of Drainage, Asset and Waste Management explained the current service provider has indicated that garbage containers will affect their ability to collect garbage, with the equipment that contract is based on, within the same timeline. They have estimated that garbage containers would necessitate another truck being added to each route, along with the associated staff. From a municipal standpoint, there would be additional costs in the way of enforcement and collection by-laws issued in the way of prescribed containers. The Director of Drainage, Asset and Waste Management reminded Council of the four bag limit and noted that multiple containers may have to be

purchased to accommodate four bags of garbage per household.

Councillor Crew noted that there are many questions that need to be answered. She felt that the motion should be referred to administration for a full report on the cost of implementation.

Councillor Crew moved, Councillor McGregor seconded:

“That the notice of motion by Councillor Gilbert be referred to administration for a full report including the cost of implementation.”

Councillor Sulman requested that the report address how to deal with the fringe areas of the City of Chatham.

Councillor Stirling requested that the report include information on incentive programs.

Councillor Pickard requested that the report include not collecting garbage if not in the proper container as an alternative enforcement method, the impact this would have on the contract with BFI, and in contrast, the cost of cleaning up litter resulting from not using garbage containers.

Mayor Hope requested that the report addresses rental properties and if the responsibility would lie with the tenant or the landlord.

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins		N
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert		N	Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	16	2
Parsons	Y				

Motion Carried

12. CHIEF ADMINISTRATIVE OFFICE

(a) Recreation Parks Partnership Program

MUNICIPALITY OF CHATHAM-KENT

CHIEF ADMINISTRATIVE OFFICE

PARTNERSHIP DEVELOPMENT SERVICES

TO: Mayor and Members of Council

FROM: Christine Dudley
Community Development Analyst

DATE: January 19, 2010

SUBJECT: Recreation/Parks Partnership Program

RECOMMENDATION

It is recommended that:

1. The Letter of Intent and Guidelines for the Recreation/Parks Partnership Program as attached in Appendices A & B respectively be approved.

BACKGROUND

In March, 2008 the Province announced that it had introduced the *Investing in Ontario Act, 2008* (the Act). Under the terms of that Act the Province undertook to distribute to Ontario municipalities their pro rata share (based on population) of any provincial surplus in excess of \$600 million. The Act was passed by the Province in May, 2008.

On August 25, 2008 the Province announced that, pursuant to the provisions of the Act, it would be giving out grants totaling \$1.1 billion to Ontario's municipalities to support municipal infrastructure investments. This infrastructure funding was in addition to any other senior government infrastructure funding initiatives.

In September, 2008 the Municipality was notified that it was entitled to a \$10,292,855 grant under the terms of the Act. That funding was in fact received on November 12, 2008.

Finally, in January 2009, administration presented Council with options regarding the disbursement of these funds, which included the development of two new funding programs. The proposed programs for Downtown Partnerships and Recreation/Parks Partnerships are intended to function similarly to the Community Partnership Fund, meaning that the available funding would be leveraged through partnerships with community stakeholders and would be distributed via a competitive application process. At that time, Council allocated \$500,000 over two years to each of the Partnership Programs and agreed that administration would develop and present program parameters and guidelines for their approval.

COMMENTS

Since Council approval, administration has worked to develop program parameters and guidelines. In order to develop the letter of intent and guidelines for the new Recreation/Parks Partnership Program, a committee was struck including staff from Partnership Development Services, Recreation Facilities, Chatham Parks and the Coordinator of Community and Corporate Strategic Plans. The letter of intent and guidelines, as well as a proposed time line are attached to this report.

The goals of the Recreation/Parks Partnership Program include increasing sport and physical recreation opportunities for the greatest number of citizens through the improvement of existing facilities and the development of new facilities, enhancing the quality of life of Chatham-Kent citizens, promoting healthy communities and encouraging partnerships.

The Recreations/Parks Program will be a \$500,000, two-year program. Organizations will be eligible to apply for up to 50% of project costs, up to a maximum of \$50,000.

This report deals only with the Recreation/Parks Partnership Program. The Downtown Partnership Program is still being developed and will be presented to Council at a later date.

COMMUNITY STRATEGIC PLAN

The recommendation made in this report supports or has the potential to support a number of the Municipality's objectives and strategic directions.

CONSULTATION

The following people were consulted and support the recommendation in this report:

Manager, Partnership Development Services
Coordinator, Community and Corporate Strategic Plans
Supervisor, Recreation Facilities
Supervisor, Chatham Parks
General Manager, Community Development and Planning Services
Director, Community Development and Planning Services

FINANCIAL IMPLICATIONS

Currently, there are no financial implications. Any financial impact will be presented to Council when funding recommendations are made, similar to the current CPF program. These recommendations have the potential to leverage the available funds through partnerships.

Prepared by:

Reviewed by:

Christine Dudley
Community Development Analyst,
Partnership Development

Larry M. Najjar
Manager, Partnership Development

Reviewed by:

Rob Browning
Chief Administrative Officer

Councillor Vercouteren moved, Councillor Crew seconded:

“That the Letter of Intent and Guidelines for the Recreation/Parks Partnership Program as attached in Appendices A & B respectively be approved.”

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Motion Carried

13. COMMUNITY DEVELOPMENT AND PLANNING SERVICES

(a) Derelict or Unlicensed Vehicle(s) By-law

MUNICIPALITY OF CHATHAM-KENT

COMMUNITY DEVELOPMENT AND PLANNING SERVICES

BUILDING, ENFORCEMENT AND LICENSING SERVICES

TO: Mayor and Members of Council

FROM: Paul Lacina, C.B.O., Director
Building, Enforcement and Licensing Services

DATE: January 14, 2010

SUBJECT: Derelict or Unlicensed Vehicle(s) By-law

RECOMMENDATIONS

It is recommended that:

1. A new By-law to prohibit derelict or unlicensed vehicles on private property within the Municipality of Chatham-Kent be approved.
2. By-law No. 18-2008 being a by-law respecting derelict vehicles on private property be repealed.

BACKGROUND

On January 28, 2009, Council approved Derelict Vehicle By-law No. 18-2008 (Attachment B), which is a standalone by-law prohibiting derelict vehicles on private property within the Municipality of Chatham-Kent.

COMMENTS

Administration proposes changes to the Derelict Vehicle By-law to address recent challenges to the existing wording, in particular the use of the word “may” in various sections throughout the by-law. Using the word “may” provided the owner or occupant with the choice to park, store or leave the derelict vehicle on the property, making the by-law unenforceable. The change to “shall” rectifies the enforcement issue.

Additionally, the two sections of the existing by-law dealing with the storage of derelict and unlicensed vehicles were changed to include new provisions prohibiting the parking, storing or leaving of vehicles on vacant property. These new provisions address challenges by owners, claiming that they are running automobile sales establishments.

Rather than amend the current by-law, administration recommends the adoption of a new Derelict or Unlicensed Vehicle(s) By-law to regulate both derelict and unlicensed vehicles (Attachment A).

COMMUNITY STRATEGIC PLAN

The recommendations in this report do not impact, negatively or positively, a specific objective of the Community Strategic Plan. It is a neutral issue.

CONSULTATION

The Clerk's Office was consulted and has confirmed that no public meeting for the new by-law is required, since the intent of the by-law has not changed.

Legal Services was consulted and have reviewed the draft Derelict or Unlicensed Vehicle(s) By-law.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendations. It is predicted that there would be some revenue generated from fines, but the amount is not expected to be significant. Administration does not anticipate a change in fines from the \$200 per offence set by the Office of the Regional Senior Justice for Derelict Vehicle Bylaw No. 18-2008. The main cost for the removal and impounding vehicles would be charged back to the property owner. This by-law will be enforced by the Building, Enforcement and Licensing Services Division utilizing existing staff.

Prepared by:

Paul Lacina, C.B.O., Director
Building, Enforcement & Licensing Services

Reviewed by:

Don Shropshire, General Manager
Community Development & Planning Services

Reviewed by:

Rob Browning
Chief Administrative Officer

Council Gilbert moved, Councillor Crew seconded:

“That

- 1. A new By-law to prohibit derelict or unlicensed vehicles on private property within the Municipality of Chatham-Kent be approved.**
- 2. By-law No. 18-2008 being a by-law respecting derelict vehicles on private property be repealed.”**

Councillor Weaver noted the by-law says that derelict vehicles may not be stored. The Director of Building, Enforcement & Licensing Services explained that derelict vehicles may not be stored in a driveway, they may however be stored in a garage or enclosed building. Councillor Weaver felt that the word “store” is misleading.

Councillor Weaver moved an Amendment, Councillor Sulman seconded:

“That the by-law be amended to clarify the storing of vehicles and that vehicles can be stored in a garage or enclosed building.”

Councillor Brown sought clarification on what constitutes a garage or enclosed building.

Councillor Pickard questioned if the by-law can be adopted in principle and third reading be given when the by-law has been reworded. The Director of Building, Enforcement and Licensing Services explained that the Director of Legal Services will be consulted to ensure the by-law meets the intent of Council's direction.

The Mayor put the Amendment

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercooteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Amendment Carried

The Mayor put the Motion, as amended

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercooteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Motion Carried

14. CORPORATE SERVICES

(a) Amendment to Routine Approval By-law

MUNICIPALITY OF CHATHAM-KENT

CORPORATE SERVICES

LEGAL SERVICES

TO: Mayor and Members of Council

FROM: Donna Jaques, LL.B.
Director, Legal Services

DATE: January 8, 2010

SUBJECT: Amendment to Routine Approval By-law

RECOMMENDATION:

It is recommended that:

1. By-law No. 157-2004 being a by-law to Delegate Certain Routine Approvals be amended as follows:

(a) By inserting section 4 to the by-law as follows:

4. The routine approvals listed on Schedule “B” attached hereto and forming part of this By-law are hereby delegated to the Chief Administrative Officer (CAO) and Mayor. The CAO shall provide a report to Council at the end of every three month period, commencing with the period between January 1 and March 31, 2010, providing the details of the approvals made under this section during that period.

and,

(b) By inserting Schedule “B” to the By-law as follows:

Schedule “B”

1. Routine Approvals be delegated to the Chief Administrative Officer (CAO) and Mayor, jointly:

a) Execution of contracts or agreements associated with government funding agreements.	<ul style="list-style-type: none">• Authorization to execute funding agreements without a report to Council for programs and projects which have previously been communicated to and approved by Council.• All agreements shall be reviewed by the Treasurer and the Director, Legal Services prior to execution.
--	--

2. Routine Approvals be delegated to the Chief Administrative Officer (CAO):

a) Execution of funding applications where the municipality is a partner with a private entity	<ul style="list-style-type: none">• Authorization to execute funding applications in partnership with a private entity, where the municipality’s contribution is limited to in-kind services not exceeding \$10,000.
--	--

BACKGROUND

1. The Municipality of Chatham-Kent applies for grants from the provincial and federal governments regarding projects previously approved by Council. Once the grants are approved, the Municipality is required to enter into an agreement with the upper level government which sets out the terms of the grant and the scope of the project. These agreements are generally non-negotiable standard form agreements.
2. The Municipality of Chatham-Kent is often approached by local companies to enter into a partnership for the purpose of applying for financial assistance from the Province of Ontario under the Rural Economic Development (RED) fund.

The RED grant is a financial support program to help rural communities thrive and grow. It supports projects including food-processing projects that remove barriers to community development and economic growth.

The RED grant process requires that a Municipal Council pass a by-law to recognize that the Municipality is a partner in the RED grant.

A copy of the existing 157-2004 – By-law to Delegate Certain Routine Approvals is attached for Council's ease of reference.

COMMENTS

1. The funding agreements require a commitment of money to the projects by the Municipality and at present there is no authority provided for administration to execute the agreements without Council approval. All the projects have been pre-approved by Council. To expedite the process, it is recommended that the CAO and the Mayor be authorized to sign these agreements without further council approval.
2. The RED grant has become a successful funding source for companies in Chatham-Kent and has contributed significantly to the revitalization of the manufacturing sector in areas such as skills development, skills upgrading, marketing, capital expenditures and job creation.

Under normal circumstances, the obligation of the Municipality has been an in-kind contribution not exceeding \$10,000 for services such as government relations, municipal department relations, permit requirement/processing assistance, site plan assistance and application report assistance.

The timing of these funding requests often do not coincide with Council meeting dates and administration are submitting last minute reports to Council seeking in-kind support for these applications.

Allowing the CAO authorization for in-kind contributions to the RED applications, not exceeding \$10,000, provides administration with the ability to expedite the process, therefore allowing for an efficient service delivery to the business community for the purpose of creating economic prosperity.

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objectives and strategic directions:

B: Economy – We are a prosperous community

B3: Maintain and enhance new and existing infrastructure to support economic and smart growth opportunities

Desired Outcomes

- Advocate for essential provincial and federal investment and equitable tax policies to support financing and effective operation of sustainable transportation systems, and water, sewer and waste management services
- Attract new economic and land development opportunities

The recommendation will not adversely impact the remainder of the Community Strategic Plan.

CONSULTATION

The Director, Economic Development and the Chief Administrative Officer's office were consulted in the drafting of this report.

FINANCIAL IMPLICATIONS

The proposed amendment to the routine approval by-law will allow for more expeditious processing of funding applications. There is no cost associated with the amendment, however there is a potential for lost funding sources if applications and agreements are not processed in a timely fashion.

Prepared by:

Donna Jaques, LL.B.
Director, Legal Services

Reviewed by:

Gerry Wolting, B. Math. CA
General Manager
Corporate Services

Reviewed by:

Rob Browning
Chief Administrative Officer

Councillor Vercouteren moved, Councillor King seconded:

“That

1. **By-law No. 157-2004 being a by-law to Delegate Certain Routine Approvals be amended as follows:**

(a) **By inserting section 4 to the by-law as follows:**

- 4. **The routine approvals listed on Schedule “B” attached hereto and forming part of this By-law are hereby delegated to the Chief Administrative Officer (CAO) and Mayor. The CAO shall provide a report to Council at the end of every three month period, commencing with the period between January 1 and March 31, 2010, providing the details of the approvals made under this section during that period.**

and,

(b) **By inserting Schedule “B” to the By-law as follows:**

Schedule “B”

1. **Routine Approvals be delegated to the Chief Administrative Officer (CAO) and Mayor, jointly:**

a) Execution of contracts or agreements associated with government funding agreements.	<ul style="list-style-type: none"> • Authorization to execute funding agreements without a report to Council for programs and projects which have previously been communicated to and approved by Council. • All agreements shall be reviewed by the Treasurer and the Director, Legal Services prior to execution.
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2. **Routine Approvals be delegated to the Chief Administrative Officer (CAO):**

<p>a) Execution of funding applications where the municipality is a partner with a private entity</p>	<ul style="list-style-type: none"> • Authorization to execute funding applications in partnership with a private entity, where the municipality's contribution is limited to in-kind services not exceeding \$10,000.
---	--

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	18	0
Parsons	Y				

Motion Carried

15. CLOSED SESSION REPORTS

COUNCIL CLOSED SESSION REPORT February 1, 2010

In attendance: Chair McGregor, Mayor Hope, Councillors Brown, Clarke, Crew, Faas, Fluker, Gilbert, Herman, King, Parsons, Pickard, Pinsonneault, Robbins, Stirling, Vercouteren and Weaver.

Not in attendance: Councillor Sulman.

Disclosure of pecuniary interests were declared by:

Councillors Pinsonneault and Brown on the labour relations issue, re fire department.

Councillor McGregor on the land property matter, re property interests. Councillor Fluker was the Acting Chair for Item #2.

Councillor Sulman, although not in attendance, indicated he would declare a disclosure of pecuniary interest on the land property matter, re clients.

During Closed Session of February 1, 2010, Council would report the following for approval:

1. Council received for information a report concerning labour relations.
2. Council provided direction on a land property matter and was deferred to the March 22, 2010 Closed Session meeting.

Councillor Brown requested that the items on the Closed Session report be split.

Councillor Fluker moved, Councillor King seconded:

“That Item #1 of the Closed Session Report be received for information.”

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Conflict		Pickard	Y	
Clarke	Y		Pinsonneault	Conflict	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Y		Total	16	0
Parsons	Y				

Motion Carried

Councillor Fluker moved, Councillor Pickard seconded:

“That Item #2 from the Closed Session report be deferred to the March 22, 2010 Closed Session Meeting.”

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown		N	Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew		N	Robbins		N
Faas	Y		Stirling	Y	
Fluker	Y		Sulman	Conflict	
Gilbert	Y		Vercouteren		N
Herman	Y		Weaver	Y	
King	Y		Mayor Hope	Y	
McGregor	Conflict		Total	12	4
Parsons	Y				

Motion Carried

Mayor Hope noted that the items on the Closed Session report that come to open session are simply to report on the items that Council discussed in closed session. Council votes to receive the report for information, not to revote on the issue. Mayor Hope noted that the Chief Administrative Officer and the Municipal Clerk will provide direction to Council on this matter for the next meeting.

16. READING OF BY-LAWS

The Municipal Clerk noted that the Derelict Vehicle by-law is being approved as amended as per Council's direction.

(a) FIRST READING

Councillor Vercouteren moved, Councillor Robbins seconded:

“That the By-laws as amended be taken as read for the first time.”

The Mayor put the Motion

Motion Carried

(b) **SECOND READING**

Councillor Vercooterren moved, Councillor Robbins seconded:

“That the By-laws as amended be taken as read for the second time.”

The Mayor put the Motion

Motion Carried

(c) **COUNCIL TO GO INTO COMMITTEE, IF REQUIRED, TO DISCUSS BY-LAWS**

(d) **RESUMPTION OF COUNCIL**

(e) **THIRD AND FINAL READING**

- i. By-law to dedicate a land parcel as Public Highway to be part of Talbot Trail in the former Geographic Township of Raleigh, now the Municipality of Chatham-Kent
- ii. By-law to dedicate a land parcel as Public Highway to be part of Eighth Line in the former Geographic Township of Raleigh, now the Municipality of Chatham-Kent
- iii. By-law to dedicate a land parcel as Public Highway to be part of Fairview Line in the former Geographic Township of Harwich, now the Municipality of Chatham-Kent
- iv. By-law to dedicate a land parcel as Public Highway to be part of Grand River Line in the former Geographic Township of Dover, now the Municipality of Chatham-Kent
- v. By-law to dedicate a land parcel as Public Highway to be part of McNaughton Avenue East in the former Geographic Township of Chatham, now the Municipality of Chatham-Kent
- vi. By-law to dedicate a land parcel as Public Highway to be part of Merlin Road in the former Geographic Township of Raleigh and Geographic Township of Tilbury East, now the Municipality of Chatham-Kent
- vii. By-law to dedicate a land parcel as Public Highway to be part of River Line in the former Geographic Township of Harwich, now the Municipality of Chatham-Kent
- viii. By-law to dedicate a land parcel as Public Highway to be part of Sass Road in the former Geographic City of Chatham, now in the Municipality of Chatham-Kent
- ix. By-law respecting derelict or unlicensed vehicles on private property
- x. By-law to amend By-law Number 157-2004 of The Corporation of the Municipality of Chatham-Kent (A By-law to Delegate Certain Routine Approvals)

- xi. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 1st day of February, 2010

Councillor King moved, Councillor Fluker seconded:

“That the By-laws as amended be taken as read for the third and final reading.”

The Mayor put the Motion

Motion Carried

17. APPROVAL OF COMMUNICATION ITEMS

- (a) Approval of the February 1, 2010 Council Information Package
-

1. Staff Reports and Information

- (a) Action Items from the January 11th & 18th, 2010 Council Meeting.

2. Correspondence From

- (a) Letter from Elizabeth Greville, Chair, Ontario March of Dimes and Cam Whale, Chair, Ontario March of Dimes Non Profit Housing Corporation to Mayor Randy Hope and Members of Council dated December 14, 2009 re Chatham-Kent Housing Authority proposed development at Tecumseh Road and Robertson Avenue, Chatham.
- (b) Letter from Dwight Duncan, Minister of Finance and Jim Watson, Minister of Municipal Affairs and Housing to Heads of Council dated December 15, 2009 re Ontario Municipal Partnership Fund (OMPF) Allocations for 2010.
- (c) Communication from Doug Reycraft, Chair, Municipal Employer Pension Centre of Ontario to Heads of Council dated January 6, 2010 re Long Term Funding Strategy.
- (d) Letter from Jan Reinhardus, Victorian Order of Nurses and Betty DeBruin, Learning Disabilities Association of Chatham-Kent to Mayor and Council dated January 13, 2010 re Wave Rental Fees for Kinsmen Auditorium - Annual “Celebrate Volunteers” Recognition Event, May 25, 2010.
- (e) Fax received from Jake Pastore, Manager, Municipal and Community Relations, Ontario Lottery and Gaming Corporation to Mayor Randy Hope dated January 19, 2010 re quarterly payment and a copy of a News Release dated January 20, 2010 re OLG Distributes \$151,961 to Chatham-Kent.
- (f) Communication from Ron Shaw, Chair, Canadian Association of Municipal Administrators dated January 11, 2010 re CAMA 2010 Awards Program. (Nomination form available in the Council Co-Ordinator’s Office)
- (g) Communication from Chris MacPherson, President, Canadian Association of Municipal Administrators dated January 11, 2010 re Honourary Membership for Life Award. (Nomination form available in the Council Co-Ordinator’s Office)

3. Routine Approvals Delegated to Administration

- (a) Corporate Services
 - (i) Letter from Maggie Downey, Municipal Governance dated January 11, 2010 to the Canadian Cancer Society re 2010 Door to Door Canvas and Daffodil Sale.
 - (ii) Letter from Maggie Downey, Municipal Governance to Chatham Goodfellows dated January 12, 2010 re Porchlight and Street Paper Sales.

4. Resolutions

- (a) Resolution from the Corporation of the City of Kingston dated December 16, 2009 re Motion 6 – Exemption of Electricity Sales from Provincial Portion of Harmonized Sales Tax – December 15, 2009.

Councillor Herman moved, Councillor King seconded:

“That the February 1, 2010 Council Information Package be approved.”

The Mayor put the Motion

Motion Carried

Councillor Brown referenced Item #2(d) – Letter from Jan Reinhardus, Victorian Order of Nurses and Betty DeBruin, Learning Disabilities Association of Chatham-Kent regarding Wave of Rental Fees for Kinsmen Auditorium – Annual Celebrate Volunteers Recognition Event.

Councillor Brown moved, Councillor Crew seconded:

“That the rental fee for Kinsmen Auditorium be waved for volunteer recognition event.”

Councillor Gilbert noted that Council has recently reviewed the policy for rental fees for not-for-profit groups. These groups are eligible to receive a discounted rate. She did not feel that is was appropriate for Council to be approving the waving of rental fees.

Councillor Brown noted that this is not a fundraising event, but an event to recognize the volunteers in our community. He felt that Council could make an exception in this circumstance.

The Mayor put the Motion

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard		N
Clarke		N	Pinsonneault	Y	
Crew	Y		Robbins		N
Faas		N	Stirling		N
Fluker		N	Sulman	Y	
Gilbert		N	Vercouteren	Y	
Herman		N	Weaver		N
King		N	Mayor Hope	Y	
McGregor	Y		Total	7	11
Parsons		N			

Motion Defeated

18. NON-AGENDA BUSINESS

Councillor Parsons noted that an industry has chosen Wallaceburg for a manufacturing facility. He thanked all those that assisted in this success.

Councillor Parsons moved, Councillor McGregor seconded:

“That Council approved a budget item of \$5,000 to be funded from the Strategic Reserves and expenditures from this budget line be subject to the approval of the

Mayor, the Chief Administrative Officer, and the Chief of Police; such uses to be consistent with the goals of the Steering Committee and the Cross Cultural Competency Project.”

Councillor Stirling noted that this is a one-off request to a special interest group. He further noted that similar requests have been referred to administration to be included in a report on core grants.

Councillor Stirling moved, Councillor Weaver seconded:

“That the motion be referred to administration and the Core Grant Review Committee to be considered with other such requests.”

Councillor Parsons requested that the report return to Council as soon as possible due to the time constraints on this request.

Councillor Stirling felt that the entire report from the Core Grant Review Committee should return at the same time so that Council is not dealing with this issue as a one-off again.

Councillor Pickard requested the report justify the immediacy of the request and why it would not be included in a cumulative report on the core grant process.

The Mayor put the Motion to Refer

Councillor	Yes	No	Councillor	Yes	No
Brown	Y		Pickard	Y	
Clarke	Y		Pinsonneault	Y	
Crew	Y		Robbins	Y	
Faas	Y		Stirling	Y	
Fluker		N	Sulman	Y	
Gilbert	Y		Vercouteren	Y	
Herman	Y		Weaver	Y	
King	Y		Mayor Hope		N
McGregor		N	Total	14	4
Parsons		N			

Motion Carried

Councillor Stirling requested an update report on the Cat Control Strategy Committee.

19. RESOLUTION COUNCIL IN CLOSED SESSION & ADJOURNMENT

Councillor McGregor moved, Councillor King seconded:

That Chatham-Kent Council adjourn to its next Meeting to be held at 4:00 p.m. on **Monday February 8, 2010** and that Chatham-Kent Council authorize itself to meet in closed session on that day to discuss any matters permitted by The Municipal Act.

The Mayor put the Motion

Motion Carried

The meeting adjourned at 8:40 p.m.

Mayor Randy R. Hope

Clerk – Elinor Mifflin