

SPECIAL COUNCIL MINUTES

MAY 25, 2009

CITY OF KITCHENER

A special meeting of City Council was held at 6:07 p.m. this date, chaired by Mayor C. Zehr with all members present except Councillors J. Smola and J. Gazzola. Councillor G. Lorentz was in attendance for part of the meeting.

Notice of this meeting had been previously given to all members of Council by the City Clerk pursuant to Chapter 25 (Council Procedure) of the Municipal Code.

Council considered Financial Services Department report FIN-09-056 (L. Gordon), dated May 21, 2009, concerning Expression of Interest E09-036 – Consultant Services – Kitchener Public Library Renovation and Expansion / Underground Parking Garage.

Mayor C. Zehr advised that he had been contacted by a representative of Walter Fedy Partnership who explained that the submission filed by Levitt Goodman Architects Ltd., was in fact a partnership and joint submission from both firms yet, the recommendation only included Levitt Goodman. Mr. L. Gordon, Chief Purchasing Officer, explained that typically only one firm is awarded the contract as other firms are considered to be sub-contractors. He added this also reduces the number of contracts that have to be written and signed.

Councillor G. Lorentz entered the meeting.

Councillor B. Vrbanovic advised that the Library Board adopted a resolution that included the other partners in this contract and he suggested that Council do the same.

**Moved by Councillor B. Vrbanovic
Seconded by Councillor K. Galloway**

“That Expression of Interest E09-036, Consultant Services – Design and Construction of Kitchener Public Library Renovation and Expansion and Underground Parking Garage, be awarded to **Levitt Goodman Architects, Toronto ON in association with The Walter Fedy Partnership & Phillip G. Carter Architect**, at their estimated fee of \$2,366,070., including disbursements and printing costs of \$51,000. and G.S.T., based on a satisfactory contract being negotiated and an upset fee being established; and further,

That the Mayor and City Clerk be authorized to execute an agreement satisfactory to the City Solicitor.”

Carried.

**Moved by Councillor B. Vrbanovic
Seconded by Councillor G. Lorentz**

“That an in-camera meeting of City Council be held this date to consider a land acquisition / disposition matter which is also subject to solicitor-client privilege.”

Carried.

The meeting recessed at 6:12 p.m. and reconvened at 8:49 p.m. chaired by Mayor C. Zehr with all members present.

Council considered the recommendation arising from the Development and Technical Services Committee this date respecting the Kitchener Growth Management Plan.

A recorded vote was requested.

**Moved by Councillor C. Weylie
Seconded by Councillor J. Gazzola**

“That save and except for Property #117, the 2009-2010 and Post 2010 Kitchener Growth Management Plan, attached to Development and Technical Services Department report DTS-09-081 as Appendix “A”, be approved subject to the following:

- (a) That upon approval of the Development Charges Background Study (2009), the timelines of the capital projects be revised to align with the timelines identified in the final Development Charges Background Study (2009); and,

That the City of Kitchener complete the processing of amendments to Kitchener's Official Plan to re-designate the west side lands identified in Appendix "B" of Development and Technical Services Department report DTS 09-081 to urban land uses in accordance with approved studies, if not completed through the Official Plan Review, by June 16, 2011; and,

That staff provide the Development and Technical Services Committee with bi-annual progress reports on the Kitchener Growth Management Plan; and further,

That final consideration of, and decision on, the position of Property #117 within the Kitchener Growth Management Plan **be deferred to the special Council meeting of June 1, 2009**, immediately following the Development and Technical Services Committee meeting to be held that date."

Carried Unanimously.

Council considered Chief Administrative Officer report CAO-09-32, dated May 21, 2009, requesting a further deferral to the June 15, 2009 Council meeting of the recommendation to execute an Agreement of Purchase and Sale with Andrin Investments Limited.

Moved by Councillor B. Vrbanovic
Seconded by Councillor J. Smola

"That the recommendation to execute an Agreement of Purchase and Sale with Andrin Investments Limited for the sale of the Centre Block lands (Chief Administrator's Office report CAO-09-025), referred to the May 25, 2009 special Development and Technical Services Committee meeting, **be referred to the June 15, 2009 Council meeting**; and further,

That the City Solicitor be authorized to extend the Letter of Intent with Andrin Investments Limited to June 19, 2009."

Carried.

Moved by Councillor K. Galloway
Seconded by Councillor C. Weylie

"That leave be given the Mover and Seconder to introduce a by-law to confirm all actions and proceedings of the Council and that the same be taken as read a first, second and third times, be finally passed and numbered 2009-084 by the Clerk."

Carried.

On motion the meeting adjourned at 8:55 p.m.

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MAYOR

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CLERK