



Minutes of January 20, 2010 Board Meeting

Directors in attendance

Chair	Cathy Coxhead
Vice-Chair	Tony Vander Baaren
Secretary/Treasurer	Anna Visconti
Director	Giacomo Bruno
Director	Nikki Henderson
Director	Jackie Simkin

Advisors in attendance

Past Chair	Darryl Sherman (Wilson Furniture)
Advisor	Val Foster (Historical Society)

City officials in attendance

Louise Parkes	City Councillor
David Tuley	Downtown Development Officer

Members in attendance

Laura Vaillancourt	Doug Wilsons Men's Wear
Ian Tweedle	Strut Nouveau
Jay Jegtheeswaran	Diamonds Grill

Invited guests

None

Public Citizens

Peter McLarnon	(Laura Vaillancourt)
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The meeting was called to order by the Chair at 6:00pm, welcoming Nikki Henderson to her first meeting as a new Director.

Tony Vander Baaren made a declaration of pecuniary interest, re advertising.

Louise Parkes made a declaration of pecuniary interest, re Wilson Furniture storage invoice.

The Chair noted that item number 3 and 4 on the agenda needed to be reversed, so that item number 4; *Approval of the agenda* was completed before proceeding with item number 3; *Discussion of correspondence received from Director Jackie Simkin.*

Motion 1-2010 was made by Louise Parkes to approve the January 20, 2010 agenda, seconded by Tony Vander Baaren.

Carried

Agenda Item #4	Discussion of correspondence received from Director, Jackie Simkin dated November 19, 2009.
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The Chair, Cathy Coxhead advised Jackie Simkin that the above mentioned correspondence was in violation of the Boards Policy & Procedures document, reading aloud from the document sections #5, #8 and #19. A copy of the Policy & Procedures document is posted on the downtown website at www.downtownoshawa.ca under the BIA section.

The Chair further advised Ms Simkin that under the Policy & Procedure document, the Board would be implementing section #25, reading aloud the details of this section to Ms Simkin.

The Chair offered Ms Simkin a chance to respond, to which Ms Simkin commented that the Municipal Act takes precedence over any BIA by-law, and that the Board does not have the authority to try and remove her from her position as Director. Ms Simkin further stated that the Boards decision was irrelevant and that the City would not support the decision.

The Chair advised Ms Simkin that an email had been received from the City's Senior Auditor Ron Foster, stating that his discussions with City staff indicated that it would be appropriate for the Downtown Oshawa BIA to use its Codification of Policy and Procedures to address Jackie Simkin's email dated November 19/09, and that City staff would continue to monitor the BIA's activities to ensure compliance with relevant by-laws of the City. A copy of the email was given to Jackie Simkin.

Motion 1:01:2010 was made by Nikki Henderson, and seconded by Anna Visconti as follows:

Further to the email correspondence dated November 19, 2009 received from Director of the Board, Jackie Simkin, sent to the Chair Cathy Coxhead, with copies to Mayor John Gray and city staff, and further to Chair Cathy Coxhead's response dated November 25, 2009 asking Ms Simkin to cease contacting city council and staff members and deal with board matters through the chair, and further to Ms Simkin's second email dated November 26, 2009 sent to the Chair and city staff, be it resolved that Director Jackie Simkin is in contravention of Section 5, Section 8 and Section 19 of the Downtown Oshawa Board of Management Codification of Policy and Procedures.

Be it further resolved, that Director Jackie Simkin be suspended from the board effective immediately for six months (6 months) as per Section 25 of the Downtown Oshawa Board of Management Codification of Policy and Procedures.

Furthermore, Ms Simkin is hereby advised that she shall not represent the Downtown Oshawa Board of Management at any function or in any way whatsoever during the period of suspension.

Carried

In addition to the motion to suspend Jackie and as a result of her refusal to comply with the Boards decision, a motion to retain a lawyer on behalf of the board was made.

Motion 1:02:2010 was made by Tony Vander Baaren for the Downtown Oshawa Board of Management to secure legal representation from Ron Kitchen, or any other designate as chosen by the Chair for up to \$5000.00 (five thousand dollars), seconded by Louise Parkes.

Carried

Laura Vaillancourt pointed out to the Board that three quotes would be necessary, re legal representation.

Motion 1:03:2010 to approve the November 18, 2009 minutes was made by Louise Parkes, seconded by Tony Vander Baaren.

Carried

Motion 1:04:2010 to approve the November 2009 financials, the renewal of the Oshawa Chamber membership for \$164.85, and to pay Wilson Furniture \$240.00 for one years storage of a Christmas item was made by Anna Visconti, seconded by Nikki Henderson

Carried

Laura Vaillancourt inquired about the December financials.
Vivian Sled, Office Manager for the Board advised that the financials were not ready for review as the bookkeeper had been sick.

Downtown Development Officers Report (David Tuley)

David Tuley updated the Board on his on-going efforts pertaining to downtown growth, advising them that he had eleven new clients with a variety of interests re purchasing, selling and/or leasing.

David also reported that there would be a total of three UOIT classrooms, plus admin offices at the Regent Theatre location. He also reported that UOIT is still looking for a bigger site and that it was going well, but he could not share any information at this time.

David thanked Vivian for distributing the new restaurant guides in the downtown, advising the Board that 25,000 are scheduled to be sent out through the Oshawa This Week and Whitby This Week publications just before Valentines, February 14, 2010.

General discussions about downtown parking took place, with Director Nikki Henderson and Advisor Darryl Sherman suggesting ideas for parking initiatives, including the parking token program for merchants.

Councillor Louise Parkes Report

Councillor Parkes spoke about the court house parking strategy report, advising the Board that it would be advantageous to them to provide a letter of support regarding the Hillstone site as an alternative parking lot.

Councillor Parkes also commented on the recent boycott of Diamond's Grill and the attempt to attack the downtown business on accessibility issues re 2012 customer service compliance rules.

Public citizen, Peter McLarnon arrived at the meeting. Office Manager Vivian Sled welcomed him, asking for his name and the name of his business. Mr. McLarnon stated that he did not have a business in the downtown and was attending because of an invitation he had received from BIA member Laura Vaillancourt.

Councillor Parkes continued with her report, addressing inquiries about the recent arrival of a new cheque cashing business and two new tattoo parlours, citing that the downtown zoning allowed the businesses in as they met the distance requirements outlined in the zoning by-law.

In addition, Councillor Parkes reported that Colin Carrie had met with members of City Council to discuss funding priorities, and that it would be a good idea for the Board to draft a letter to Colin Carrie's office requesting the placement of federal employees in the downtown. She also recommended that an additional letter be drafted by the Board supporting UOIT's investment in the downtown..

Councillor Parkes updated the Board on the proposed hotel convention centre, stating that Cindy Symons-Milroy had just recently met with the owner. Discussions with Vince Vella at the General Motors Centre are on-going in an effort to secure the Skate Canada event, whereby a hotel in the downtown is mandatory. Another update on the project will be available in March 2010.

Laura Vaillancourt had a series of questions for Councillor Parkes regarding the hotel and the owner's intentions re strip club venue and architectural plans. Councillor Parkes indicated that there is a by-law in place to restrict a strip club and that the architectural renderings were excellent.

Other items of interest were discussed such as the Hans Jain development near the court house, the UOIT student task force re residential needs, and the progress of the Genosha Hotel, with Councillor Parkes providing updates in general.

Member Jay Jegtheeswaran (owner/operator of Diamond's Grill) arrived at the meeting.

Office Manager's Report (Vivian Sled)

Changes at Durham Regional Police were reported to the Board as follows:

- Inspector Dave Wilson replaced by Inspector Rolf Kluem
- Sgt. Colin Shaw replaced by Sgt. Nicole Hamilton
- Staff Sgt. Dave Brown remains

Both Inspector Kluem and Sgt. Hamilton have showed an interest in attending a meeting in the future. The Chair asked Vivian to please extend an invite for the next meeting.

An email from the Board's landlord, Mr. David Chen was read aloud, advising the Board that a change in space may be something that is necessary in 2010 in order for Mr. Chen to rent a portion of the 2nd. floor at the Board office. This was received as information by the Board.

A copy of the parking plan for the Courthouse (City Report CS-09-125) was available for review. Vivian provided the Board with a brief outline of what the plan meant for downtown Oshawa as per her meeting with Roy Vanderkwaak in early January 2010. A copy of the outline is attached.

Vivian recommend that the virtual tour and the photo shoot planned for the 2010 mixed media campaign be put on hold until the membership survey was completed, so that the Board had a clearer picture of what the membership would like. Copies of the draft survey were handed out to the Board for their review.

A proposal for a pre-paid gift program was received by the Board from an outside company. Vivian asked the Board if they were interested in learning more about downtown gift cards re costs, services, etc. The Board agreed to review more information about the proposal once collected. It was suggested that the gift card program be included in the membership survey.

The UOIT Gift Agreement for 2010 was brought forward for further discussion. The Board discussed whether or not use of the member's money should be allocated to top up the student bursary on a yearly basis. The majority of the members felt the Board should raise the money through fundraising efforts at the annual sidewalk sale, etc. specifically for the

bursary. The Chair asked Vivian to have Bruce Hurley revise the agreement to reflect what was decided and to bring it back to the Board for a final review.

A 2009 Shop & Win report was circulated to the Board, followed by discussion on the overall promotion. It was agreed that the membership survey should include a series of questions about downtown events, and about the Shop & Win initiative in particular as it seems to be the hardest promotion to execute favourably. The Midnight Madness event and the Christmas with the Gen's event that were both part of the overall Shop & Win promotion were very successful and were considered worth repeating. Discussions about a Midnight Madness event for the summer sidewalk sale, as per the member's comments was well received by the Board. A copy of the report is attached.

Other Business

A draft document from the Chair to the membership was circulated to the Board for their review. The document outlined the work of the Board in 2009 and the 2010 programs. The document is to be included in the package containing the membership survey pending approval from the Board.

Director Giacomo Bruno advised the Board that a group known as "Broken Arts" approached him about doing events in the downtown that included art, music and crafts, with a plan to eventually host a busker event similar to other communities. The Board liked the idea and asked Giacomo to have the group leader contact Vivian so they could meet to discuss the logistics.

Received as correspondence

- Dec. 27/09 Email from PC Ryan Kapeluk DRPS re graffiti meeting with the Chief
- Jan. 11/10 Letter from member Jay Jegtheeswaran, requesting assistance regarding a boycott against his restaurant Diamond's Grill
- Letter of thanks from Gneral Natynczyk for the Support Our Troops initiative at the 2009 Autofest event
- Email from Juri Burzins re façade program, requesting a meeting with David Tuley and the Board
- Jan. 13/10 Email from Inspector Kluem showing interest in attending a Board meeting
- Jan. 14/10 Email proposal from Jason Bashnick re outdoor move night proposal
- Jan. 15/10 Letter of thanks from Clive Waugh re UOIT bursary donation
- Email from Jonathan Hunter requesting a meeting with the Board to discuss and present a new banner program

Motion 1:05:2010 to adjourn the meeting was made by Anna Visconti, seconded by Tony Vander Baaren.

Meeting was adjourned.