

**MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, FEBRUARY 8, 1999, AT 8:00 P.M. IN THE COUNCIL CHAMBER**

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**Present:** Mayor K. McCann in the Chair  
Councillors: M. Buchanan  
D. Evans  
W. Gardy  
M. Kirby  
T. Lauer  
G. Morano  
D. Shaw  
P. Spears

**Disclosure of Interest**

1. Councillor Evans - re Committee of the Whole Council meeting held February 8, 1999, immediately prior to this meeting.

Nature of Interest - Councillor Evans is named in a Statement of Claim, respecting the Economic Development Commission. Councillor Evans was absent from the subject Committee of the Whole Council meeting, at which Economic Development Commission matters were discussed. Pursuant to section 5(3) of the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, he disclosed his interest at this first meeting of Council attended by him after that meeting.

2. Councillor Kirby – re Motion Number 1999-54.

Nature of Interest – Councillor Kirby has interest in a company that subcontracts to Bell Canada.

Councillor Kirby declined to discuss the matter or to vote on its disposition.

**Presentations/Deputations**

Marilyn Hamilton, Member, Gay Guthrie, Director, and Heather Decker, Chair, spoke to Council in support of the Sir Sam Steele Art Gallery's request for financial assistance in the amount of \$50,000.00.

Mr. Jim Dykes, Chair, The Community Foundation of Orillia and Area, spoke to Council introducing the Foundation, outlining it's history, purpose and goals and requesting a contribution of \$150,000. to its endowment fund.

**Minutes**

The Minutes of the previous meetings, having been prepared in typewritten form and copies distributed, were taken as printed.

**Consent Agenda**

1. Association of Municipalities of Ontario – re Letter of Thanks. File: A01-AMO  
Recommendation: Receive as informational.
2. County of Simcoe – re Homes for the Aged Account. File: A16-COS,x S03  
Recommendation: Receive as informational.

3. Municipality of Bayham – re Resolution - Bill 79, the Fairness for Property Taxpayers Act. File: L11-BILL,xC10-GEN  
 Recommendation: Receive as informational.
4. Orillia and District Chamber of Commerce – re Annual Business Achievement Awards. File: A01-CHA  
 Recommendation: Receive as informational.
5. Information Orillia – re Request for grant. File: C12-GNT  
 Recommendation: Refer to Ad Hoc Grants Committee.
6. Canadian Cancer Society – re “The Great Ride ‘N’ Stride to Beat Cancer”, May 2, 1999. File: M02  
 Recommendation: Refer to Council Committee.  
 Request report from Parks and Recreation Department.
7. Mr. Terrence Dyball – re Parking Problems – Mary Street and Westmount Drive Area. File: LT02-GEN  
 Recommendation: Refer to Council Committee  
 Request Report from Engineering Department
8. Mr. Brian Tomlenson – re Proposed Recreational Facility – Tudhope Park. File: R05-CURL  
 Recommendation: Receive as informational.  
 Copy to Recreation Facility Steering Committee.
9. Mr. & Mrs. Edward Shaw - re Proposed Recreational Facility – Tudhope Park. File: R05-CURL  
 Recommendation: Receive as informational.  
 Copy to Recreation Facility Steering Committee.
10. Ms. Phyllis Davidson - re Proposed Recreational Facility – Tudhope Park. File: R05-CURL  
 Recommendation: Receive as informational.  
 Copy to Recreation Facility Steering Committee.
11. Ms. Lynne Withey - re Proposed Recreational Facility – Tudhope Park. File: R05-CURL  
 Recommendation: Receive as informational.  
 Copy to Recreation Facility Steering Committee.
12. R. Ritchie - re Proposed Recreational Facility – Tudhope Park. File: R05-CURL  
 Recommendation: Receive as informational.  
 Copy to Recreation Facility Steering Committee.
13. Ms. Mary Kielek - re Proposed Recreational Facility – Tudhope Park. File: R05-CURL  
 Recommendation: Receive as informational.  
 Copy to Recreation Facility Steering Committee.

14. Natalie Edgett – re Letter of Resignation – Orillia Public Library Board. File: C12-LIB

Recommend that the following resolution be passed:

“THAT the resignation of Natalie Edgett as a member of the Orillia Public Library Board is hereby accepted, with regrets, and the Clerk is hereby instructed to thank Ms. Edgett for her valuable contribution to the municipality while serving as a member of the Board.”

Recommendation: Refer the matter of a replacement to the Committee of Whole.

**1999-35** Moved by Gardy, seconded by Kirby, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on February 8, 1999, with the exception of the recommendation(s) with respect to Correspondence Items 8, 9, 10, 11, 12 and 13, which shall be introduced separately. Carried.

**1999-36** Moved by Gardy, seconded by Kirby, that the recommendations with respect to Correspondence Items 8, 9, 10, 11, 12 and 13 on the Consent Agenda for the regular meeting of Council on February 8, 1999, be adopted. Carried.

### Correspondence

1. Association of Municipalities of Ontario – re 1999 Municipal Mandate. File: A01-AMO  
(Info)
2. Downtown Orillia Management Board – re On-Street Parking. (Motion)  
File: LT02-PARKING,x C12-DMB
  - a) Councillor Lauer – Report
3. Big Brothers, Orillia and District – re Ball Hockey Tournament – Sunday, February 28, 1999 (2 letters). File: M02-GEN (Motion)
4. Leacock Memorial Home Board – re Presentation of the “2000 and Beyond” Plan, March 8<sup>th</sup>, 1999 at 7:30 p.m. File: C12-LMHB (Info)

**1999-37** Moved by Lauer, seconded by Morano, that the report dated February 1, 1999 from Councillor Lauer, with respect to Free On-Street Parking, be adopted and implemented. Carried.

**1999-38** Moved by Lauer, seconded by Morano, that Council has no objection to closing (a portion of) the parking lot adjacent to the City of Orillia Building on Andrew Street, on Sunday, February 28, 1999 from 9:00 a.m. to 4:00 p.m. for a Big Brothers fundraising event, provided that adequate fencing, if required, be installed and supervision provided, and subject to the organizers agreeing to add the City and Toronto Property Management Inc. as additional insured and subject to the City and Toronto Property Management Inc. being held harmless. Carried.

### Reports

1. Account List for period ending January 21, 1999. (Info)
2. Report Number 1999-2 of the Council Committee. (see pages 1999-58 and 1999-59)
3. Recreation Facility Committee – re Tudhope Park Recreation Centre – Award of Contract. File:C12-RAC (Motion)
4. Administrative Issues Committee – re Report 1999-1. File: C12-ADMN (Motion)

**1999-39** Moved by Kirby, seconded by Gardy, that Report Number 1999-2 of the Council Committee, now before Council, be adopted with the exception of Clause 5 which shall be introduced separately. Carried.

**1999-40A** Moved by Kirby, seconded by Evans, that Clause 5 of Report Number 1999-2 of the Council Committee, now before Council, be adopted.

**1999-40B** Moved by Kirby, seconded by Evans, that the motion now before Council be amended by adding the following to the end of the motion: subject to further review in one year. Carried.

**1999-40C** Moved by Kirby, seconded by Evans, that Clause 5 of Report Number 1999-2 of the Council Committee, now before Council, be adopted, subject to further review in one year. Carried.

**1999-41** Moved by Lauer, seconded by Morano, that Council be authorized to enter into a design-build contract with Michael Monteith Enterprises Limited for the construction of a recreation facility in Tudhope Park, at the cost of \$2,099,427.00;

AND THAT a construction contingency of 4% be allocated for the project.

AND THAT authorization be granted to retain project management and legal advisors using the \$60,000.00 previously set aside for this purpose. Carried.

**1999-42** Moved by Buchanan, seconded by Shaw, that Report 1999-1, dated February 3, 1999, from the Administrative Issues Committee, be adopted and implemented. Carried.

### **Motions**

**1999-43** Moved by Buchanan, seconded by Shaw, that, with respect to the proposal by Bell Canada to sell its operator services to Excell Global Services as set out in an open letter to municipal councils, dated January, 1999, and with respect to a News Release, dated February 4, 1999 from Bell Canada, this Council supports the efforts of Bell Canada and the C.E.P. to keep the lines of communication open, in an effort to work towards a settlement and avoid a strike or lock-out. Carried.

### **By-laws**

**1999-44** Moved by Shaw, seconded by Buchanan, that the following by-laws be now introduced and read a first, second and third time today:

1999-27 A By-law to authorize the execution of a Postponement with 689224 Ontario Inc. (451 West Street North)

1999-28 A By-law to authorize the execution of an agreement with Groupe Laperriere & Verreault Inc. for the purposes of Section 53(12) of the Planning Act. (155 West Street South, 174 West Street South)

1999-29 Amendment Number 101 to Traffic and Parking Regulation By-law Number 1983-80.

1999-30 Amendment Number 102 to Traffic and Parking Regulation By-law Number 1983-80.

1999-31 A By-law to authorize the execution of a design-build agreement with Michael Monteith Enterprises Limited - Recreation Facility – Tudhope Park.

1999-32 A By-law to amend By-law Number 1998-146.

1999-33 A By-law to provide for the levying and collecting of monies, except for properties that are in the commercial, industrial and multi-residential classes, required for the purposes of the City of Orillia before the adoption of the estimates for the year 1998 (Interim Tax Levy). Carried.

**1999-45** Moved by Morano, seconded by Lauer, that By-law Number 1999-34, a by-law to confirm the proceedings of Council at its meeting held on February 8, 1999, be now introduced and read a first, second and third time today. Carried.

By-law read a first, second and third time and passed.

**MEETING ADJOURNED – 9:45 P.M.**

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MAYOR

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CLERK

## CITY OF ORILLIA

**TO:** The Mayor and Members of Council

**FROM:** Council Committee

**DATE:** February 2, 1999

**SUBJECT:** Report Number 1999-2 (From meeting of February 1, 1999)

Your Committee is pleased to report and recommend as follows:

1. THAT, as recommended in a report dated January 26, 1999, from the Manager of Legislative Services, Council send out a letter of intent to all municipalities in the Orillia Catchment Area advising them that the City of Orillia is interested in acting as a delivery agent for the Provincial Offences Act Transfer, provided that the City of Orillia can satisfy the Orillia Catchment Area Municipalities that it can provide a comparable level of service at a comparable cost to the City of Barrie;

AND THAT, as it is the desired concept to submit a joint proposal with the City of Barrie, Council commence negotiations with the Ministry of Attorney General and the City of Barrie to act as a delivery agent for the transfer of the Provincial Offences Act Administration.

2. THAT, as recommended in a report dated January 26, 1999, from the Property Services Department, an easement be granted to Bell Canada over Block 99 and 100 on Plan 51M-613, in the West Ridge Subdivision;

AND THAT these easements be declared surplus to the needs of the City of Orillia, as per the conditions set out in Property Procedural By-law Number 1995-99.

3. THAT, as recommended in a report dated January 26, 1999, from the Property Services Department, the two vending spaces on the C.P.R. Right-of-Way located on the westerly side of Centennial Drive, north of the Ossawippi Restaurant, be made available for lease again this year, subject to the same terms and conditions as set out in 1994;

AND THAT Sweet Dreams Ice Cream be given first right of refusal for the space they are currently occupying;

AND THAT the rental fee for each of the two spaces remain at \$1,500.00 plus the \$750.00 refreshment vehicle license fee, for the period May 1, 1999 – October 15, 1999;

AND FURTHER THAT staff be authorized to advertise for the rental of the vacant space(s).

4. THAT the report dated January 4, 1999, from the Engineering Department, respecting School Parking Problems – Hillcrest Public School, St. Bernard's Separate School and Harriett Todd Public School, be adopted and implemented;

AND THAT the Orillia O.P.P., the Simcoe County Board of Education, the City Engineer and Parents' Association be involved in an ongoing communications and monitoring process with respect to this issue.

5. THAT, as recommended in a report dated January 26, 1999, from the Engineering Department, the existing entrance to the Brewery Bay Tennis Club accessing Atherley Road not be closed.

6. THAT the report dated January 26, 1999, from the Engineering Department, respecting Designated Bus Stops, be adopted and implemented.

7. THAT the Policy for Processing Award Program Nominations, as set out in a report dated January 27, 1999 from the Manager of Council Services/Clerk, be adopted and implemented.

M. L. Kirby,