

**MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, MARCH 22, 1999,
AT 7:30 P.M. IN THE COUNCIL CHAMBER**

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

Councillor Spears – re Consent Item #13, City of Orillia Pipes and Drums – re Funding request.

Nature of Interest – Councillor Spears is a member of Branch 34, Royal Canadian Legion Pipes and Drums.

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

Presentations/Deputations

Mr. Norm Lewthwaite, Chairman, Waste Management Advisory Council, along with Mayor McCann and Councillor Gardy, presented awards to outstanding contributors to the blue box program, including Audrey O'Brien, winner of the 10th Anniversary poster award. Plaques were presented to individuals and organizations that have contributed to the Waste Management Advisory Council's blue box recycling program over the past ten years.

Mr. Doug Abernethy reported on his attendance at the Ontario Community Council on Impaired Driving (OCCID) Annual General Meeting, February 21, 1999 and the Manage the Energy Conference, February 22nd and 23rd, 1999. Council asked Mr. Abernethy to submit an expense sheet, covering the costs of the next three meetings, to the Ad Hoc Grants Committee. Mr. Abernethy announced upcoming events.

Minutes

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

Consent Agenda

1. Canadian Red Cross – re Letter of Thanks. File: F11
 Recommendation: Receive as informational.
2. Canadian Radio-television and Telecommunications Commission – re Bell Canada's sale of its Operator Services Division. File: C10-OTHER
 Recommendation: Receive as informational.
3. County of Simcoe – re Simcoe County 911 C.E.R.B. Service. File: A16-COS
 Recommendation: Refer to Council Committee.
 Request report from City Manager's Office.
4. Town of Keewatin – re Gas Prices. File C10
 Recommendation: Receive as informational.

5. Township of Ramara – re Economic Development Task Force. File: C12-EDC TASK FORCE
Recommendation: Receive as informational.
6. Township of Severn – re Subsidization of Bridge Construction & Maintenance. File: C10
Recommendation: Receive as informational.
7. City of Kanata – re Resolution respecting taxation of NHL teams. File: C10
Recommendation: Receive as informational.
8. Town of Kearney – re Resolution respecting a robbery at the Kearney LCBO outlet. File: C10
Recommendation: Receive as informational.
9. City of Windsor – re Tax on Gambling Winnings. File: C10
Recommendation: Receive as informational.
Copy to Chippewas of Mnjikaning.
10. Waste Management Advisory Council – re RCO 1999 Corporate Environmental Sponsorship Program. File: E07-WMAC,xC12-GNT
Recommendation: Refer to Ad Hoc Grants Committee.
(Newsletter and Brochure available in Council Services)
11. Telecare Orillia – re Funding request. File: C12-GNT
Recommendation: Refer to Ad Hoc Grants Committee.
12. Doug Abernethy – re OCCID Funding request. File: L11,xC12-GNT
Recommendation: Refer to Ad Hoc Grants Committee.
13. City of Orillia Pipes and Drums – re Funding request. File: C12-GNT
Recommendation: Refer to Ad Hoc Grants Committee.
14. Volunteer Orillia Resources Inc. – re Funding request. File: C12-GNT
Recommendation: Refer to Ad Hoc Grants Committee.
15. Citizens for a Democratic Nation (CDN) – re Canada Insurance Plan (CIP).
File: A16-FED
Recommendation: Receive as informational.
(Canada Insurance Plan brochure available in Council Services Library).
16. Pitch-In Ontario – re 1999 Pitch-In Week, May 3-9. File: E07-WMAC
Recommendation: Refer to Waste Management Advisory Council, in conjunction with previous referral, to co-ordinate in cooperation with Communities in Bloom and the Operations Department.

Proclamation request has been forwarded to the Mayor's Office.
17. Corporations Supporting Recycling (CSR) – re “The Middle R”, an education kit distributed by Earth Day Canada. File: E07-RECY
Recommendation: Receive as informational.
Copy to Waste Management Advisory Council.

18. Graham Ambrose, Opera House Management Committee – re Stephen Leacock Museum. File: C12-LMHB

Recommendation: Receive as informational.

19. Muskoka International Airshow - re aircraft overfly permission. File: M02

Recommendation: That the following resolution be passed:

"THAT this Council has no objection to aircraft overflying the City of Orillia in conjunction with the Muskoka International Airshow being held on May 23 and 24, 1999, subject to the organizers providing proof that they have obtained a special airshow endorsement on their liability policy;

AND THAT the City be named as an additional insured on that endorsement."

20. The Community Foundation – re Letter of Thanks. File: A01-CFO

Recommendation: Receive as informational.

21. Orillia Substance Abuse Network - re Orillia Community Centre rental fees for the New Year's Eve celebration on December 31, 1999. File: M02

Recommendation: Refer to Ad Hoc Grants Committee.
Request report from the Parks and Recreation Department.

22. The Lung Association – re Permission to canvass from May 1 to May 16, 1999. File: M02

Recommendation: Receive as informational.
Copy to Legislative Services.
Copy to Ontario Provincial Police.

23. Orillia Public Library – re Extension of Joanne Rolland's tenure on the Library Board. File: C12-APPT

Recommendation: Refer to Committee of the Whole Council.

24. Orillia Coalition for a Healthy Community – re Environmental Agenda for Ontario. File: C12-EAC,xE07-WMAC

Recommendation: Refer to Environmental Advisory Committee, with the exception that recommendations regarding hazardous waste and materials be referred to the Waste Management Advisory Council;

25. C.V. White – re Public Accountability. File: M04

Recommendation: Receive as informational.
Copy to Planning and Development Department
(package – re *Citizen's Circle for Accountability* available in Council Services Department)

1999-66 Moved by Evans, seconded by Spears, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on March 22, 1999, with the exception of the recommendation(s) with respect to Correspondence Items 6 & 13 which shall be introduced separately. Carried.

1999-67 Moved by Spears, seconded by Gardy, that the recommendation with respect to Correspondence Item 6 on the Consent Agenda for the regular meeting of Council on March 22, 1999, be adopted. Carried.

1999-68 Moved by Gardy, seconded by Kirby, that the recommendation with respect to Correspondence Item 13 on the Consent Agenda for the regular meeting of Council on March 22, 1999, be adopted. Carried.

Correspondence

1. Stephen Leacock Memorial Home Board – re Barb Gale Deputation. (Ad Hoc Grants Committee) File: C12-LMHB,xF11-OUT
2. Mr. Dave Farwell – re Stephen Leacock Museum. (Motion) File: C12-LMHB
3. Ms. Geraldine Clarke – re Stephen Leacock Museum. (Motion) File: C12-LMHB
4. OSUM '99 – re 1999 Conference, May 5-8, 1999. (Motion) File: A04-CONF
5. Association of Municipalities of Ontario – re 1999 AMO Annual Conference, August 22-25, 1999. (refer to April 12, 1999 Council Meeting) File: A04-CONF

1999-69 Moved by Gardy, seconded by Spears, that the correspondence dated March 15, 1999 from Dave Farwell, respecting the Leacock Memorial Home Board's "2000 and Beyond" Plan, be referred to Council Committee, March 29, 1999.

AND THAT reports be requested from the City Manager, City Engineer, director of Operations, Director of Planning and Development and the Orillia Water, Light and Power Commission. Carried.

1999-70 Moved by Gardy, seconded by Spears, that the correspondence dated March 15, 1999 from Geraldine Clarke, respecting the Leacock Memorial Home Board's "2000 and Beyond" Plan, be referred to Council Committee, March 29, 1999.

AND THAT reports be requested from the City Manager, City Engineer, director of Operations, Director of Planning and Development and the Orillia Water, Light and Power Commission. Carried.

1999-71 Moved by Evans, seconded by Gardy, that the following are hereby authorized to attend the 1999 OSUM Annual Conference from May 5-8, 1999, being hosted by the City of Owen Sound, with expenses:
Councillor Spears
Councillor Buchanan (May 6, 1999)
Councillor Kirby (May 6, 1999) Carried.

Enquiries

Reports

1. Account List for the period ending March 10, 1999. File: F02 (Info)
2. Report Number 1999-4 of the Committee of the Whole Council. File: C11-COW (Motion) (see page 1999-84)
3. Report Number 1999-4 of the Council Committee. File: C11-CC (Motion) (see pages 1999- 85)
4. Councillor Lauer – re D.O.M.B. Maintenance Agreement. File: C12-DMB (Motion)
5. Councillor Buchanan – re Provincial Task Force on Homelessness. File: S00 (Info)
6. Councillor Buchanan – re Orillia Fine Arts Association's request. File: M08,xA19-OCC (Motion)
7. City Manager – re Deputations and the Provincial Election. File: C00 (Motion)

1999-72 Moved by Buchanan, seconded by Shaw, that Report Number 1999-4 of the Committee of the Whole Council, now before Council, be adopted. Carried.

1999-73 Moved by Kirby, seconded by Gardy, that Report Number 1999-4 of the Council Committee, now before Council, be adopted with the exception of Clause 6, which shall be introduced separately. Carried.

1999-74 Moved by Spears, seconded by Gardy, that Clause 6 of Report Number 1999-4 of the Council Committee, now before Council, be adopted. Carried.

1999-75 Moved by Lauer, seconded by Morano, that, as recommended in a report dated March 16, 1999 from Councillor Tim Lauer, the City enter into a Maintenance Agreement with the Downtown Orillia Management Board for the provision of maintenance service to the B.I.A for 1999; such agreement to provide:

1. That the maintenance expenses of \$19,729, submitted by the Downtown Orillia Management Board, be accepted.
2. That the City assume responsibility for planting and maintaining the street planters in the B.I.A.
3. That the Downtown Orillia Management Board accept the City's maintenance responsibilities in regard to the B.I.A. as listed in the report from the Operations Department.
4. That this agreement be reviewed annually. Carried.

1999-76 Moved by Buchanan, seconded by Shaw, that the Orillia Fine Arts Association be granted the use of a section of the north wall of the corridor outside of the Council Chamber, for the display of locally produced artwork, on the terms set out in the report from the Director or Property Services dated March 4, 1999;

AND THAT the City pay 50% of the cost, up to a maximum of \$2,200, plus G.S.T., to be funded out of the Capital Contingency Reserve. Carried.

1999-77 Moved by Shaw, seconded by Buchanan, that the City of Orillia Municipal Code be amended to provide that deputations to Council from declared candidates for elected office not be permitted. Carried.

Motions

1999-78 Moved by Kirby, seconded by Evans, that the Council procedure by-law be revised to include on the agenda an open public forum after Council by-laws and prior to adjournment;

AND THAT the following procedure be adopted:

1. Speakers be required to provide their name and address;
2. Speakers must speak only to issues within municipal jurisdiction;
3. Each speaker be limited to a maximum of 5 minutes;
4. Each public forum period be limited to a maximum of 30 minutes;
5. If a question is directed to Council which requires staff input, the response be provided by the Chair or a Councillor at the next regular meeting of Council during "Enquiries", or directly to the questioner subsequent to the Council meeting. Carried.

1999-79A Moved by Evans, seconded by Kirby, that Council Committee, at its meeting to be held on March 29, 1999, receive the reports from staff respecting the Leacock Memorial Home Board *2000 and Beyond* Plan;

AND THAT Council entertain public comments concerning the Plan at the commencement of the April 12, 1999 Council meeting;

AND THAT no final decision on the Plan be made prior to the April 26, 1999 Council meeting.

1999-79B Moved by Buchanan, seconded by Shaw, that the motion now before Council be amended by deleting Clause Two and Three;

AND THAT the following Clause be added:

“AND THAT no final decision be made on the plan until a public meeting is held to entertain comments from interested parties.” Carried.

1999-79C Moved by Evans, seconded by Kirby, that Council Committee, at its meeting to be held on March 29, 1999, receive the reports from staff respecting the Leacock Memorial Home Board *2000 and Beyond* Plan;

AND THAT no final decision be made on the plan until a public meeting is held to entertain comments from interested parties. Carried.

By-laws

1999-80 Moved by Lauer, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

1999-45 A By-law to amend Chapter 170 of the City of Orillia Municipal Code – Municipal By-law Enforcement Officer – Gregory Cufaro.

1999-46 A By-law to adopt Chapter 365 of the City of Orillia Municipal Code – Subdivisions and Condominiums – Approval – Director of Planning and Development.

1999-47 A By-law to amend Chapter 493 of the City of Orillia Municipal Code – Remuneration – Expenses.

1999-48 A By-law to adopt the provisions of Division B of Bill 79, Fairness for Property Taxpayers Act, 1998, for the 1999 taxation year.

1999-49 A By-law to authorize the execution of a License of Occupation Agreement between the City of Orillia and David Christopher Tyms (31 Barrie Road).

1999-50 A By-law for the purpose of appointing members to certain Boards, Commissions, Committees and designated offices. (Opera House Management Committee)

1999-51 A By-law to authorize an extension to Contract Number T-98/99 with Penetang Midland Coach Lines Limited. Carried.

1999-81 Moved by Morano, seconded by Lauer, that By-law Number 1999-52, a by-law to confirm the proceedings of Council at its meeting held March 22, 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 – 10:05 P .M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: March 9, 1999
SUBJECT: Report Number 1999-4 (From meeting of March 8, 1999)

Your Committee is pleased to report as follows:

1. THAT the requirement, as set out in City Policy Number 1.3.3.1., for a member to step down from a committee for a minimum of three years after serving the maximum two full terms, be waived with respect to the current vacancy on the Opera House Management Committee;

AND THAT Ken Brown be appointed a member of the Opera House Management Committee to complete the unexpired term of Jim Perrin, who has resigned; such term to expire November 30, 2000.

2. THAT Chapter 493 of the City of Orillia Municipal Code be amended to provide for annual remuneration to the members of the Youth Opportunities Committee and the Environmental Advisory Committee in the amounts set out in Schedule "B" of the subject Chapter.

3. THAT the City of Orillia convey to the Ministry of Transportation a strip of land, approximately 97 m², for highway purposes at the intersection of Highway 12/Collins Drive;

AND THAT the Ministry assume all land survey, advertising and legal costs involved in this conveyance;

AND FURTHER THAT this piece of property be declared surplus to the needs of the municipality.

4. THAT Penetang Midland Coach Lines be granted a 24 month extension to the existing Orillia Transit operating contract, commencing July 1, 1999;

AND THAT the rate paid under this extension be \$43.32/bus hour, throughout the term of this extension.

M. Buchanan,
Chairman.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: March 9, 1999
SUBJECT: Report Number 1999-4 (From meeting of March 8, 1999)

Your Committee is pleased to report and recommend as follows:

1. THAT, as recommended in a report dated March 1, 1999, from the Program Supervisor, the Chevy/Mariner Bass Tournament be approved, subject to compliance with the facility permit process.
 2. THAT, as recommended in a report dated February 15, 1999, from the Chief Lottery Licensing Officer, permission be granted to Gates of Orillia Bingo Hall to operate bingo events once a month for 12 months with a \$5,500 prize board.
 3. THAT Council confirm the comments set out in a report dated March 1, 1999, from the Senior Planner, regarding the applications for amendments to the Official Plan and Zoning By-law for a resort development in the Township of Ramara by Sunlake Resources Limited.
 4. THAT, as recommended in a report dated March 1, 1999, from the Director of Planning and Development, with respect to the Leacock Point Development Corporation, final approval be granted to draft approved condominium Plan 43-CD-97601;
- AND THAT the Mayor and Clerk be authorized to sign the final plans for registration.
5. THAT a by-law be prepared pursuant to Section 51.2 (1) of the Planning Act to delegate to the Director of Planning and Development the authority to issue final plan approval and to approve minor amendments to conditions of draft plan approval for subdivisions and condominiums.
 6. THAT, as recommended in a report dated March 4, 1999, from the Deputy City Treasurer, with respect to Bill 79, tax capping decisions, Council adopt the provisions of Division B of Bill 79 to implement the 10-5-5 cap for 1999.
 7. THAT the report dated March 1, 1999 from the City Manager, respecting changes to the 1999 Operating Budget, be adopted.

M. L. Kirby,
Chairman.