



CITY OF ORILLIA COUNCIL MINUTES

1999-234

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, OCTOBER 25, 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

1. Mayor McCann – re Clause 5. of Report Number 1999-16 – Alexander Drive.

Nature of Interest – Mayor McCann lives on Skyline Drive adjacent to the subject property.

Mayor McCann declined to discuss the matter or to vote on its disposition.

Mayor McCann asked if there was any person in the gallery who wished to speak with respect to the proposed closing of old road allowances in the area of the C.N. Station and in the area of the Brewery Bay Tennis Club.

No one from the gallery spoke.

Deputations

Mr. Marvin Green of River Oaks Development Inc. spoke to Council in support of correspondence dated October 7, 1999 from Garfinkle, Biderman, requesting Council to designate the Victoria Point lands, which are currently before the Ontario Municipal Board in relation to the River Oaks Development Inc. proposed development, as “Special Study Area” as opposed to the “Environmental Protection” designation proposed in the new draft Official Plan.

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 copy of the 1999 Conference Proceedings. File: A04-GEN

Recommendation: Receive as informational.
Copy available for review in Council Services.

2. Association of Municipalities of Ontario: File: A01-AMO

a) For Your Information - re Municipalities and the Federal Throne Speech.

Recommendation: Receive as informational.

3. Municipality of Chatham-Kent - re requesting endorsement of their resolution regarding the competitiveness of the agri-food sector. File: C10-GEN

~~Recommendation: Receive as informational.~~ **(See Resolution Number 1999-276)**

4. Municipal Electric Association - re various seminars on "Training for Municipal Councillors and Staff on Managing Your Utility Assets". File: A04-GEN

~~Recommendation: Receive as informational.~~ **(See Resolution Number 1999-277)**

5. Ministry of Energy, Science and Technology - re newsletter entitled "Power Switch - Update on Energy Competition in Ontario, September 24, 1999".
File: L11-Bill35

Recommendation: Receive as informational.

6. Royal Canadian Legion - re invitation to all members of Council to attend their annual service at the Cenotaph at Orillia Soldiers' Memorial Hospital on November 11, 1999 at 11:00 a.m. File: M02-GEN

Recommendation: Receive as informational.

7. Township of Baldwin - re requesting support of their resolution regarding hunting, fishing and trapping. File: C10-GEN

Recommendation: Receive as informational.

8. iCorp Design Inc. - re web site for politicians. File: A03-GEN,XC00-GEN

Recommendation: Receive as informational.

9. Rural Ontario Municipal Association/Ontario Good Roads Association - re 2000 ROMA/OGRA Combined Conferences, February 20 - 23, 2000. File: A04-GEN

Recommendation: Receive as informational.

10. Ms. Jane Michaud - re Orillia and Area Family Resource Centre. File: M04-GEN

Recommendation: Receive as informational.

11. Church of the Guardian Angels Catholic Women's League - re "White Ribbons Against Pornography" campaign. File: M02-GEN

Recommendation: Receive as informational.

12. Local Architectural Conservation Advisory Committee - re tree planting policy in the City of Orillia. File: E04-GEN

Recommendation: Receive as informational.
Copy to all departments. (See Resolution Number 1999-279)

13. Big Bay Point District Association - re AGRA proposal. File: E07-GEN

Recommendation: Receive as informational.

14. Orillia Computer Club - re letter of thanks for donation of computers. File: C12-GNT
 Recommendation: ~~Receive as informational.~~
Refer to Ad Hoc Grants Committee. (See Resolution Number 1999-280)
15. Ottawa Valley Economic Development - re requesting support of their resolution regarding the Canadian Neutron Facility. File: C10-GEN
 Recommendation: ~~Receive as informational.~~ **(See Resolution Number 1999-281)**
16. Mr. William Downs - re snow removal license. File: C01-1999-141
 Recommendation: ~~Receive as informational.~~
Refer to Licensing Committee. (See Resolution Number 1999-282)
17. Veterans Affairs Canada, Ontario Regional Office - re Veterans' Week, 1999.
 File: M02-GEN
 Recommendation: Receive as informational.
 Refer proclamation to Mayor's Office.
18. Mrs. Marion McConnell - re letter of thanks to Peter Ercolini and Peter Dance.
 File: M04-GEN
 Recommendation: Receive as informational.
 Copy to Operations Department.
19. Simcoe County District School Board - re appeal of Education Development Charge By-law. File: F20-DEV
 Recommendation: Receive as informational.
 Copy to Treasury and Planning and Development Departments.
20. Ministry of Transportation - re maintenance on Provincial highways. File: A16-MOT
 Recommendation: Receive as informational.
 Copy to City Manager's Office, Fire, Engineering and Police Departments.
21. The Corporation of the County of Simcoe - re Municipal Emergency Plans - County of Simcoe Social Services (Ontario Works) Department. File: P03-PEC
 Recommendation: Receive as informational.
~~Copy to Emergency Planning Committee.~~
Request report from the Emergency Planning Committee. (See Resolution Number 1999-285)
22. The Couchiching Conservancy - re Second Annual Fall Gathering of the Ontario Nature Trust Alliance, November 12 - 14, 1999. File: A04-GEN
 Recommendation: Receive as informational.
 Copy to Environmental Advisory Committee.

23. Mr. Doug Abernethy - re OCCID General Meeting, September 17, 1999.
File: A01-OCCID
- Recommendation: Receive as informational.
24. Orillia Against Drunk Driving - re Alcohol Ignition Interlocks. File: A01-OCCID
- Recommendation: Receive as informational.
Copy to Orillia Police Services Board. **WITHDRAWN**
25. Orillia Pregnancy Crisis Centre - re requesting financial assistance. File: F11-GEN
- Recommendation: Refer to Ad Hoc Grants Committee.
26. Community Action Program for Children, Orillia - re requesting financial assistance. File: F11-GEN
- Recommendation: Refer to Ad Hoc Grants Committee.
27. Rotary Club of Orillia - re community service clubs signs. File: C12-SIGN
- Recommendation: Refer to Signage Committee.
28. Petition from Mr. Frank Kreis and others - re Orillia Transit on Lewis Drive.
File: T03-GEN
- Recommendation: Refer to Council Committee.
Request report from the Property Services Department.
29. Orillia Legion Minor Ball - re deadline for subsidy application. File: R05-GEN
- Recommendation: Refer to Council Committee.
Request report from the Parks and Recreation Department.
(See Resolution Number 1999-289)
30. Mr. W. Gordon Burnie - re request for a four-way stop with flashing red lights at the intersection of Matchedash and Neywash Streets. File: T07-GEN
- Recommendation: Refer to Council Committee.
Request report from the Engineering Department **and for staff to consult with the O.P.P. and Planning Department. (See Resolution Number 1999-290)**
31. a) Park Street Collegiate Students' Council - re intersection of Park Street and Collegiate Drive. File: T07-GEN
- b) Park Street Collegiate Institute - re intersection of Park Street and Collegiate Drive. File: T07-GEN
- c) Mr. Peter Hoare - re intersection of Park Street and Collegiate Drive.
File: T07-GEN
- d) Park Street School Council - re intersection of Park Street and Collegiate Drive. File: T07-GEN
- Recommendation: Refer to Council Committee.
Request a report from the Engineering Department ~~and for staff to consult with the O.P.P.~~
Request a report from the O.P.P. specific to speeding and pedestrian dangers. (See Resolution Number 1999-291)

32. Property Services Department - re disposal of surplus City-owned property, 179 Memorial Avenue. File: L07-GEN

Recommendation: That the following resolution be passed:

“THAT a parcel of land known as 179 Memorial Avenue, Lots 4, 5 and 6 on Registered Plan 574, in the City of Orillia, County of Simcoe, be declared surplus to the needs of the municipality.”

33. Property Services Department - re disposal of surplus City-owned property, 40 James Street East. File: L07-GEN

Recommendation: That the following resolution be passed:

“THAT a portion of the strip of vacant land known as 40 James Street East, Concession 5, Part Lot 10, on Registered Plan 365, City of Orillia, County of Simcoe be declared surplus to the needs of the municipality.”

34. MGM Outdoor Marketing Group Inc. - re Chevy/Mariner Bass Tour Live Release Pro/Am Bass Tournament, July 29 - 30, 2000. File: M02-GEN

Recommendation: Refer to Parks and Recreation in conjunction with the annual report on special events.

1999-275 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 October 25, 1999, with the exception of the recommendation(s) with respect to Correspondence Item(s) 3., 4., 11., 12., 14., 15., 16., 17., 18., 21., 24., 26., 27., 28., 29., 30., 31., 32. and 33. which shall be introduced separately. Carried.

1999-276 Moved by Gardy, seconded by Spears, that this Council endorse the resolution of the Municipality of Chatham-Kent regarding the competitiveness of the agri-food sector;

AND THAT copies of this resolution and the Municipality of Chatham-Kent's resolution be sent to the following:

Honourable Lyle VanClief, Minister of Agriculture and Agri-Food Canada
Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural
Affairs
Paul DeVillers, M.P.
Garfield Dunlop, M.P.P.

1999-277 Moved by Gardy, seconded by Spears, that the following are hereby authorized to attend the seminar entitled “OBCEA Boards of Directors” sponsored by the Municipal Electric Association, with expenses:

Councillor Kirby Carried.

1999-278 Moved by Gardy, seconded by Spears, that the recommendation with respect to Correspondence Item 11. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-279 Moved by Gardy, seconded by Kirby, that the recommendation with respect to Correspondence Item 12. on the Consent Agenda for the regular meeting of Council on October 25, 1999 read as follows:

Receive as informational.
Copy to all departments. Carried.

1999-280 Moved by Buchanan, seconded by Shaw, that the recommendation with respect to Correspondence Item 14. on the Consent Agenda for the regular meeting of Council on October 25, 1999 read as follows:

Refer to Ad Hoc Grants Committee. Carried.

1999-281 Moved by Gardy, seconded by Spears, that this Council endorse the resolution of the County of Renfrew regarding the Canadian Neutron Facility;

AND THAT copies of this resolution and the County of Renfrew's resolution be sent to the following:

Paul DeVillers, M.P.
Garfield Dunlop, M.P.P. Carried.

1999-282 Moved by Spears, seconded by Gardy, that the recommendation with respect to Correspondence Item 16. on the Consent Agenda for the regular meeting of Council on October 25, 1999 read as follows:

Refer to Licensing Committee. Carried.

1999-283 Moved by Gardy, seconded by Kirby, that the recommendation with respect to Correspondence Item 17. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-284 Moved by Buchanan, seconded by Shaw, that the recommendation with respect to Correspondence Item 18. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-285 Moved by Gardy, seconded by Spears, that the recommendation with respect to Correspondence Item 21. on the Consent Agenda for the regular meeting of Council on October 25, 1999 read as follows:

Request report from the Emergency Planning Committee. Carried.

1999-286 Moved by Buchanan, seconded by Shaw, that the recommendation with respect to Correspondence Item 26. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-287 Moved by Shaw, seconded by Buchanan, that the recommendation with respect to Correspondence Item 27. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-288 Moved by Spears, seconded by Evans, that the recommendation with respect to Correspondence Item 28. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-289 Moved by Kirby, seconded by Gardy, that Council authorize staff to proceed with the belated request of Orillia Legion Minor Baseball for receipt of their 1999 subsidy;

AND THAT staff be instructed to direct a letter to Orillia Legion Minor Baseball with a copy to the Legion Executive, indicating that strict compliance with the policy will be enforced in the future. Carried.

1999-290 Moved by Buchanan, seconded by Shaw, that the recommendation with respect to Correspondence Item 30. on the Consent Agenda for the regular meeting of Council on October 25, 1999 read as follows:

Refer to Council Committee.
Request report from the Engineering Department and for staff to consult with the O.P.P. and Planning Department. Carried.

1999-291 Moved by Spears, seconded by Gardy, that the recommendation with respect to Correspondence Item 31. on the Consent Agenda for the regular meeting of Council on October 25, 1999 read as follows:

Refer to Council Committee.
Request a report from the Engineering Department.
Request a report from the O.P.P. specific to speeding and pedestrian dangers. Carried.

1999-292 Moved by Shaw, seconded by Morano, that the recommendation with respect to Correspondence Item 32. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

1999-293 Moved by Lauer, seconded by Morano, that the recommendation with respect to Correspondence Item 33. on the Consent Agenda for the regular meeting of Council on October 25, 1999 be adopted. Carried.

Correspondence

1. The Orillia Substance Abuse Network – re request for a Council representative to attend a meeting of the New Year’s Eve Millennium Planning Committee. File: M02-GEN (Info)
2. Ministry of Municipal Affairs and Housing - re “Growing Stronger” conference, November 19, 1999. File: A04-GEN (Info)
3. Orillia and District Chamber of Commerce - re fee for commercial/industrial fires. File: F02-GEN (CC)
4. Orillia and District Construction Association - re fee for commercial/industrial fires. File: F02-GEN (CC)

Reports

1. Report Number 1999-17 of the Committee of the Whole Council. (Motion) (See Page 1999-242)
2. Report Number 1999-16 of the Council Committee. (Motions) (See Pages 1999-243 – 1999-244)
3. Ad Hoc Grants Committee - re Report Number 1999-7. File: C12-GNT (Motions)

1999-294 Moved by Spears, seconded by Gardy, that Report Number 1999-17 of the Committee of the Whole Council, now before Council, be adopted. Carried.

1999-295 Moved by Gardy, seconded by Kirby, that Report Number 1999-16 of the Council Committee, now before Council, be adopted with the exception of Clause(s) 1., 3., 5. and 11., which shall be introduced separately. Carried.

1999-296 Moved by Morano, seconded by Shaw, that Council authorize staff to forward a letter to all local charities and out-of-town charities as they become known, asking that they register their intent to solicit with the City prior to a door-to-door campaign. Carried.

1999-297 Moved by Lauer, seconded by Morano, that Clause 1. of Report Number 1999-16 of the Council Committee, now before Council, be adopted. Carried.

1999-298 Moved by Gardy, seconded by Kirby, that Clause 3. of Report Number 1999-16 of the Council Committee, now before Council, be adopted. Carried.

1999-299 Moved by Gardy, seconded by Spears, that Clause 5. of Report Number 1999-16 of the Council Committee, now before Council, be adopted. Carried.

1999-300 Moved by Kirby, seconded by Lauer, that as recommended in a report dated October 13, 1999 from the City Manager, the practice of inviting Council members and the public to recite the Lord's prayer at the opening of Council and Council Committee meetings be terminated in light of the Court of Appeal's ruling that this practice is unconstitutional. Carried.

Recorded Vote

Yeas – Kirby, Evans, Buchanan, Shaw, Lauer

Nays – Gardy, Spears, Morano, McCann

1999-301 Moved by Kirby, seconded by Lauer, that as recommended in a report dated October 13, 1999 from the City Manager, Council meetings be opened with a non-denominational prayer followed by a moment of silence for private reflection. Carried.

1999-302 Moved by Kirby, seconded by Lauer, that as recommended in a report dated October 13, 1999 from the City Manager, the Administrative Issues Committee be requested to recommend a form of prayer to Council. Carried.

1999-303 Moved by Buchanan, seconded by Shaw, that as recommended in a report dated October 21, 1999 from the Ad Hoc Grants Committee, the following grants be approved:

Doug Abernethy - general grant	\$400.00
La Leche League - for book purchases	\$400.00
Greenhaven - general grant	\$500.00

1999-304 Moved by Buchanan, seconded by Morano, that as recommended in a report dated October 21, 1999 from the Ad Hoc Grants Committee, the Sir Sam Steele Art Gallery and the Orillia Historical Society be advised that no action will be taken on their request for funding for the Sir Sam Steele Clock Tower restoration until the formal fundraising program being carried on by the Art Gallery is completed. Carried.
(Resolution reconsidered - See Resolution Number 1999-304C)

By-laws

1999-305 Moved by Lauer, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

1999-143 A By-law for the purpose of appointing members to certain Boards, Commissions, Committees and other designated offices.

1999-145 A By-law to authorize the sale of surplus land to 1010018 Ontario Ltd. and to accept an Easement – Part Block F, Registered Plan 365 (40 James Street).

1999-146 A By-law to authorize the sale of surplus land to Caloritech Inc. – Champlain Industrial Park.

1999-306 Moved by Evans, seconded by Kirby, that By-law Number 1999-144, a by-law to amend Chapter 493 of the City of Orillia Municipal Code – Remuneration – Expenses, be now introduced and read a first, second and third time today. Carried.

Recorded Vote

Yeas – Kirby, Evans, Morano, Lauer, McCann

Nays – Gardy, Spears, Buchanan, Shaw

1999-307 Moved by Morano, seconded by Lauer, that By-law Number 1999-147, a by-law to confirm the proceedings of Council at its meeting held October 25, 1999, be now introduced and read a first, second and third time today. Carried.

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

A verbal motion to reconsider Resolution Number 1999-304 was presented by Councillor Buchanan and passed by a two-thirds majority.

1999-304A Moved by Buchanan, seconded by Morano, that as recommended in a report dated October 21, 1999 from the Ad Hoc Grants Committee, the Sir Sam Steele Art Gallery and the Orillia Historical Society be advised that no action will be taken on their request for funding for the Sir Sam Steele Clock Tower restoration until the formal fundraising program being carried on by the Art Gallery is completed.

1999-304B Moved by Buchanan, seconded by Morano, that the motion now before Council be amended by deleting the phrase “restoration until the formal fundraising program being carried on by the Art Gallery is completed” and inserting the following phrase in lieu thereof:

“restoration as there is a formal fundraising program currently being carried out”.
Carried.

1999-304C Moved by Buchanan, seconded by Morano, that as recommended in a report dated October 21, 1999 from the Ad Hoc Grants Committee, the Sir Sam Steele Art Gallery and the Orillia Historical Society be advised that no action will be taken on their request for funding for the Sir Sam Steele Clock Tower restoration as there is a formal fundraising program currently being carried out. Carried.

Open Public Forum

1. Dennis Edmonds, 226 Westmount Drive South
- re River Oaks deputation re new Official Plan.
- re Lord’s Prayer.
2. Wally Moran, 69B Cindy Lee Crescent - re Lord’s Prayer.
3. John Blyth, 63 Orma Drive - re Lord’s Prayer.
4. Mr. Hawkins, 224 15th Line North - re Lord’s Prayer.
5. Evelyn Johnstone - on behalf of Ellen Heutink re gift to Council of 18 page historical book.
6. Steve Church - re Lord’s Prayer.

MEETING ADJOURNED – 11:15 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: October 19, 1999
SUBJECT: **Report Number 1999-17 (From meeting of October 18, 1999)**

Your Committee is pleased to report as follows:

1. THAT Kristin Ego is hereby appointed a member of the Farmers' Market Management Committee, to replace Lillian Payne (Orillia Farmers' Market Organization Committee representative), for a term expiring November 30, 2000.

2. THAT John Harris is hereby appointed a member of the Local Architectural Conservation Advisory Committee for a term expiring November 30, 2002.

3. THAT Donald Ross is hereby appointed a member of the Orillia Hall of Fame Committee, to replace Peter Hoare, who has resigned, for a term expiring November 30, 2000.

P. Spears,
Chairman.

CITY OF ORILLIA

TO: The Mayor and Members of Council

FROM: Council Committee

DATE: October 19, 1999

SUBJECT: Report Number 1999-16 (From meeting of October 18, 1999)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated September 27, 1999 from the Licensing Committee, no action be taken with respect to licensing out-of-town charitable canvassers.

2. THAT as recommended in a report dated October 13, 1999 from the Senior Planner, the request of Keith and Jocelyn Thompson for a reduction in the development charge as it applies to their property at 546 Harvie Settlement Road be denied;
AND THAT a copy of the report be forward to Mr. and Mrs. Thompson for their information.

3. THAT the reports dated October 13, 1999 from the Operations Department and the Parks and Recreation Department with respect to the Orillia Winter Carnival for February 11 - 13, 2000, be received as informational;
AND THAT copies of these reports be forwarded to the Orillia Winter Carnival Committee for its information.

4. THAT the report dated October 4, 1999 from the Director of Parks and Recreation with respect to the planting of shade trees around all playground equipment in Orillia's parks, be received as informational;
AND THAT a copy of the report be forwarded to Mrs. Pirrie for her information.

5. THAT the Operations Department be directed to provide some additional maintenance and to give a high priority to clear the outlet following significant rainfall with respect to the Alexander Drive Open Space/Fittons-West Centre stormwater management facility, as discussed in a report, dated October 12, 1999 from the Engineering Department;
AND THAT the existing berm be extended from the stormwater management facility westward to the 525mm diameter storm sewer between 18 and 20 Alexander Drive, upon receipt of satisfactory liability waivers from the owners of lands that may be adversely affected by the works.

6. THAT as recommended in a report dated October 12, 1999 from the Engineering Department, a budget of \$1,500 be considered in the 2000 capital budget for the construction of new ditch inlets on Emily Street at Nottawasaga Street;

AND THAT the Operations Department include on their priority list the cleaning of the drainage system and catchbasins at the intersection of Emily Street and Nottawasaga Street following each significant rainfall.

7. THAT as recommended in a report dated October 4, 1999 from the Deputy Fire Chief, the City of Orillia award a contract to Acklands-Grainger Inc. for the supply of eight self-contained breathing apparatus (S.C.B.A.) units for the Suppression Division of the Orillia Fire Department at a cost of \$24,729.00 plus taxes from funds approved in the 1999 capital budget for this project.

8. THAT as recommended in a report dated October 12, 1999 from the Purchasing Agent, the Snow Clearing Tender be awarded to Ron Burton & Sons for the five parking lots, bus shelters, police and fire stations, arenas and the Tudhope Park Recreation Centre for the amount of \$42,100 plus the cost of the sanding (estimated at \$7,900).

9. THAT as recommended in a report dated October 12, 1999 from the Director of Planning and Development, a one-year extension be granted for draft approval for the unregistered portion of Draft Plan of Subdivision 43T-75295, part of the east and west halves of Lot 7 and part of the west half of Lot 8, Concession 3, Geographic Township of Orillia, now in the City of Orillia, to November 18, 2000.

10. THAT Council not pursue the privatization of the City's water and wastewater utilities at this time.

11. THAT as recommended in a report dated October 13, 1999 from the City Manager, the practice of inviting Council members and the public to recite the Lord's Prayer at the opening of Council and Council Committee meetings be terminated in light of the Court of Appeal's ruling that this practice is unconstitutional;

AND THAT Council meetings be opened with a non-denominational prayer followed by a moment of silence for private reflection;

AND THAT the Administrative Issues Committee be requested to recommend a form of prayer to Council.

K. McCann,
Chairman.