



CITY OF ORILLIA COUNCIL MINUTES

2002-242

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, DECEMBER 16, 2002 AT 7:30 P.M. IN THE COUNCIL CHAMBER

Present: Mayor R. Stevens in the Chair
Councillors: A. M. Alexander
M. Buchanan
D. Downey
W. Gardy
T. Lauer
K. McLaughlin
G. Morano
F. Smith

The meeting opened with the singing of O Canada and a moment of silence.

Disclosure of Interest

1. Councillor McLaughlin – re Clauses 13., 14. and 15. of Committee of the Whole Report Number 2002-20 and By-law Numbers 2002-175 and 2002-177.

Nature of Interest – Councillor McLaughlin’s son is employed by the Orillia Youth Centre.

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

2. Councillor Smith - re Consent Item No. 24.

Nature of Interest - Councillor Smith is an acquaintance of the principal of Kehoe Development Corporation Inc.

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

Minutes

The Minutes of the previous meeting, having been prepared and copies distributed, were taken as printed.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) Alert - re Update on Provincial Water Policy Initiative.
 - b) For Your Information - re Government Amends the *Municipal Elections Act* with the passage of the new *Municipal Act - Part 2*.
 - c) Alert - re Last Chance to Protect Volunteer Firefighters.
 - d) Alert - re Legislature Undercuts Volunteer Firefighters.
 - e) Alert - re Province Passes Two Major Water Bills.

Recommendation: Receive as informational.
Copied to appropriate Departments and Agencies.

2. City of Welland - re requesting endorsement of its resolution regarding the fortification of lands. File: C10-GEN

Recommendation: Receive as informational.

3. City of St. Catharines - re requesting endorsement of its resolution regarding the doctor shortage crisis. File: C10-GEN
Recommendation: Receive as informational.
4. County of Essex - re requesting endorsement of its resolution regarding the Federal Government to participate in the Opportunity Bond program. File: C10-GEN
Recommendation: Receive as informational.
5. Town of Tecumseh - re requesting endorsement of its resolution regarding smoking in public places and workplaces. File: C10-GEN
Recommendation: Receive as informational.
6. City of Pickering - requesting endorsement of its resolution regarding the Emerald Ash Borer (EAB) infestation. File: C10-GEN
Recommendation: Receive as informational.
7. City of Thorold - re requesting endorsement of its resolution regarding Hydro One Networks Inc. File: C10-GEN
Recommendation: Receive as informational.
8. City of Sarnia - re court security update. File: P01-GEN
Recommendation: Receive as informational.
Copy to Legislative Services' Division of the City Manager's Office.
9. Minister of Public Safety and Security - re domestic violence prevention. File: C10-GEN
Recommendation: Receive as informational.
10. Minister of Municipal Affairs and Housing - re formal requirements for Year 3 of the Municipal Performance Measurement Program (MPMP). File: A16-MMAH
Recommendation: Receive as informational.
Copy to Treasury Department.
11. Minister of Municipal Affairs and Housing - re Municipal Act, 2001 e-guide. File: A16-MMAH,XL11-MUN
Recommendation: Receive as informational.
12. County of Simcoe - re Media Release entitled "Land Ambulance Funding Shortfall". File: A16-COS
Recommendation: Receive as informational.
Copy to Treasury Department.
13. County of Simcoe - re 2003 County of Simcoe Warden. File: A16-COS
Recommendation: Receive as informational.

14. Simcoe County District School Board - re bus transportation provided without charge for co-op students. File: T03-GEN
Recommendation: Receive as informational.
Copy to Property Services Department.
15. Township of Severn - re education development charges appeal. File: F20-EDC
Recommendation: Receive as informational.
Copy to Planning and Development Department.
16. Downtown Orillia Management Board - re requesting the re-appointment of Pat Thor as their representative on the Licensing Committee. File: C01-2002-177
Recommendation: Prepare by-law to re-appoint Pat Thor.
17. Orillia District Chamber of Commerce - re leasehold improvements to the train station and its environs in 2002. File: L04-O-319
Recommendation: Receive as informational.
Copy to Property Services Department.
18. Ontario's Lake Country - re letter of thanks for attending the recent Fall Gala Dinner. File: A01-LC
Recommendation: Receive as informational.
19. Allan Millard - re intersection of Westmount Drive and Barrie Road. File: T08-GEN
Recommendation: Receive as informational.
20. John Forrest - re request for City to hold one (or more) public forums re No Smoking By-law. File: C01-2001-185
 - i) Letter - Communications Committee.
Recommendation: Receive as informational.
21. Leonard Deverell - re reduced speed on Calverley Street. File: C01-2002-158
Recommendation: Receive as informational.
Copy to Public Works Department.
22. Bobbi Sarai - re Rick Hansen Wheels in Motion, June 14, 2003. File: M02-GEN
Recommendation: Receive as informational.
Copy to Mayor's Office for follow-up.
23. Katja Van den Enden - re letter and petition regarding traffic concerns on Lacie Street. File: T08-GEN
Recommendation: Refer to Council Committee.
Request report from the Public Works Department.
24. Kehoe Development Corporation Inc. - re Oak Street. File:
Recommendation: Refer to Council Committee.
Request report from the Property Services Department.

25. Order of Orillia Awards Committee - re resignation of Deborah Wagner.
File: C01-2002-

Recommendation: That the following resolution be passed:

“THAT the resignation of Deborah Wagner, as a member of the Order of Orillia Awards Committee is hereby accepted with regrets, and the Clerk be instructed to thank Ms. Wagner for her valuable contribution to the municipality while serving as a member of the Committee;

AND THAT the matter of a replacement be referred to the Committee of the Whole Council for consideration and recommendation.”

2002-390 Moved by Lauer, seconded by Alexander, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on December 16, 2002, with the exception of the recommendation(s) with respect to Correspondence Item(s) 1.d), 22. and 24. which shall be introduced separately. Carried.

2002-391 Moved by Downey, seconded by Morano, that the recommendation with respect to Correspondence Item 1.d) on the Consent Agenda for the regular meeting of Council on December 16, 2002 be adopted. Carried.

2002-392 Moved by Smith, seconded by Morano, that the recommendation with respect to Correspondence Item 22. on the Consent Agenda for the regular meeting of Council on December 16, 2002, be adopted. Carried.

2002-393 Moved by Lauer, seconded by Alexander, that the recommendation with respect to Correspondence Item 24. on the Consent Agenda for the regular meeting of Council on December 16, 2002, be adopted. Carried.

Correspondence

1. Association of Municipalities of Ontario - re requesting financial support in conjunction with Bill 210, the new electricity legislation. File: A01-AMO,XF11-OUT
2. Eli Bilissis - re portable sign for the Bayside Restaurant at Barnfield Point Recreation Centre. File: T07-BARN

2002-394 Moved by McLaughlin, seconded by Gardy, that \$1,000 be contributed to the Association of Municipalities of Ontario “Bill 210 Fund” to assist with input on the new electricity legislation;

AND THAT the funds be expropriated from the operating contingency account. Carried.

2002-395 Moved by Smith, seconded by Morano, that Council provide notice of its intent to amend Chapter 832 of the City of Orillia Municipal Code - Signs - to provide for exemptions to section 832.14 for the location of temporary signs for a period beyond ninety days in a calendar year. **LOST**

2002-396 Moved by McLaughlin, seconded by Downey, that the supply and installation of a permanent sign advertising the Bayside Restaurant at Barnfield Point Recreation Centre be referred to the 2003 Budget Committee. Carried.

Reports

1. Report Number 2002-20 of the Committee of the Whole Council. (Motions)
(See Pages 2002-248 - 2002-250)
2. Report Number 2002-21 of the Committee of the Whole Council. (Motion)
(See Page 2002-251)

3. Report Number 2002-20 of the Council Committee. (Motions) (See Pages 2002-252 - 2002-254)
4. Grants Committee - re Report Number 2002-9. File: C12-GNT (Motion)

2002-397 Moved by Gardy, seconded by Alexander, that Report Number 2002-20 of the Committee of the Whole Council, now before Council, be adopted with the exception of Clauses 13., 14., 15. and 19., which shall be introduced separately. Carried.

2002-398 Moved by Gardy, seconded by Alexander, that Clauses 13., 14. and 15. of Report Number 2002-20 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2002-399 Moved by Gardy, seconded by McLaughlin, that Clause 19. of Report Number 2002-20 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2002-400 Moved by Gardy, seconded by McLaughlin, that Report Number 2002-21 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2002-401 Moved by Lauer, seconded by Alexander, that Report Number 2002-20 of the Council Committee, now before Council, be adopted with the exception of Clause 12., which shall be introduced separately. Carried.

2002-402 Moved by Lauer, seconded by Alexander, that Clause 12. of Report Number 2002-20 of the Council Committee, now before Council, be adopted. Carried.

Recorded Vote

Yeas - Alexander, Lauer, Smith, Buchanan, Stevens

Nays - Gardy, McLaughlin, Downey, Morano

2002-403 Moved by McLaughlin, seconded by Gardy, that as recommended in Report Number 2002-9 from the Grants Committee, Council approve the following grants:

Lighthouse Christian Ministries	\$1,000.
Deborah Mills	200.
Orillia Winter Carnival	1,000.
Couchiching Jubilee House	1,000.
Laurie Clare on behalf of National Service Dogs Training Centre Inc.	300.

AND THAT a grant to the Salvation Army Thrift Store to subsidize the cost of disposing unwanted goods not be approved. Carried.

By-laws

2002-404 Moved by Downey, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

- 2002-163 A By-law to provide for the levying and collecting of monies required for the purposes of the City of Orillia before the adoption of the estimates for the year 2003 (Interim Tax Levy).
- 2002-164 A By-law to adopt Chapter 450 of the City of Orillia Municipal Code – User Fees – Planning and Development.
- 2002-165 A By-law to adopt Chapter 451 of the City of Orillia Municipal Code – User Fees – General Administration.

- 2002-166 A By-law to adopt Chapter 452 of the City of Orillia Municipal Code – User Fees – Public Works.
- 2002-167 A By-law to adopt Chapter 453 of the City of Orillia Municipal Code – User Fees – Fire.
- 2002-168 A By-law to adopt Chapter 454 of the City of Orillia Municipal Code – User Fees – Property Services.
- 2002-169 A By-law to adopt Chapter 455 of the City of Orillia Municipal Code – User Fees – Treasury.
- 2002-170 A By-law to adopt Chapter 456 of the City of Orillia Municipal Code – User Fees – Parks and Recreation.
- 2002-171 A By-law to amend Chapter 12 of the City of Orillia Municipal Code – Council – Committee.
- 2002-172 A By-law to amend Chapter 22 of the City of Orillia Municipal Code – Council – Procedure.
- 2002-173 A By-law to amend Chapter 105 of the City of Orillia Municipal Code – Local Board – Procedure.
- 2002-174 A By-law to amend Chapter 110 of the City of Orillia Municipal Code – Accessibility Advisory Committee.
- 2002-176 A By-law to assume and dedicate one foot reserves as Public Highway (Charter Construction - Phase 5 Commercial Development).

2002-405 Moved by Buchanan, seconded by Smith, that By-law Number 2002-175, a by-law to authorize the execution of a Lease Agreement with 92 Barrie Road Mini-Storage Ltd. – Orillia Youth Resource and Drop-In Centre, be now introduced and read a first, second and third time today. Carried.

2002-406 Moved by Smith, seconded by Buchanan, that By-law Number 2002-177, a by-law for the purpose of appointing members to certain Boards, Commissions, Committees and other designated offices, be now introduced and read a first, second and third time today. Carried.

2002-407 Moved by Downey, seconded by Morano, that By-law Number 2002-178, a by-law to confirm the proceedings of Council at its meeting held on December 16, 2002, be now introduced and read a first, second and third time today. Carried.

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

Open Public Forum

- Nil

MEETING ADJOURNED – 9:25 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: December 10, 2002
SUBJECT: Report Number 2002-20 (From meeting of December 9, 2002)

Your Committee is pleased to report as follows:

1. THAT the composition of the Accessibility Advisory Committee be increased by one, to include two Council representatives, for a total membership number of eight;

AND THAT Councillor Gardy be appointed to the Accessibility Advisory Committee for a one-year term expiring November 30, 2003.

2. THAT as recommended in a report dated December 5, 2002 from the Accessibility Advisory Committee, the following be appointed members of the Accessibility Advisory Committee for a two-year term from December 1, 2002 to November 30, 2004:

Doreen M. Hislop
Brenda Jenkins

3. THAT as recommended in a report dated December 5, 2002 from the Accessibility Advisory Committee, the following be appointed members of the Accessibility Advisory Committee for a three-year term from December 1, 2002 to November 30, 2005:

Susan Lawrence
Mary Lee MacMillan

4. THAT the following be re-appointed members of the Planning Advisory Committee for a three-year term from December 1, 2002 to November 30, 2005:

Bill Keech
Ed Eggengoor

5. THAT the following be appointed a member of the Leacock Memorial Home Board for a three-year term from December 1, 2002 to November 30, 2005:

Sandy Eaton

6. THAT the following be re-appointed a member of the Leacock Memorial Home Board for a three-year term from December 1, 2002 to November 30, 2005:

Joe Francoz

7. THAT the following be appointed a member of the Opera House Management Committee, to replace Michael Showers, for a term expiring November 30, 2003:

Tracie L. Atkinson

8. THAT the following be appointed a member of the Opera House Management Committee, to replace Barbara Shakell-Barkey, for a term expiring November 30, 2003:

Anne Waggoner

9. THAT the following be appointed a member of the Waste Management Advisory Council for a three-year term from December 1, 2002 to November 30, 2005:

William M. Murphy

10. THAT the following be appointed a member of the Farmers' Market Management Committee, to replace Terry Jackson, for a term expiring November 30, 2003:

Andrew W. Johnston

11. THAT the following be appointed a member of the Farmers' Market Management Committee for a three-year term from December 1, 2002 to November 30, 2005:

Joan Doyle

12. THAT the following be re-appointed a member of the Local Architectural Conservation Advisory Committee for a three-year term from December 1, 2002 to November 30, 2005:

John Harris

13. THAT the following be re-appointed a member of the Orillia Youth Opportunities Committee for a three-year term from December 1, 2002 to November 30, 2005:

Kate Allen

14. THAT the following be appointed a member of the Orillia Youth Opportunities Committee, to replace Scott Lindsey, for a term expiring November 30, 2003:

Amy Willison

15. THAT the following be appointed members of the Orillia Youth Opportunities Committee for three-year terms from December 1, 2002 to November 30, 2005:

William M. Murphy
Janet Dixon

16. THAT the following be appointed a member of the Environmental Advisory Committee, to replace Mary Lou Kirby, for a term expiring November 30, 2003:

Dan Allan

17. THAT the following be appointed members of the Environmental Advisory Committee for three-year terms from December 1, 2002 to November 30, 2005:

Roger H. Czerneda
R. E. (Ted) Byers

18. THAT the following be appointed a member of the Orillia Parking Advisory Committee for a three-year term from December 1, 2002 to November 30, 2005:

Dan Parnell

19. THAT the following be re-appointed members of the Committee of Adjustment for a one-year term from December 1, 2002 to November 30, 2003:

Mayor R. Stevens
Councillor T. Lauer

20. THAT the following be re-appointed a member of the Orillia Hall of Fame Committee for a three-year term from December 1, 2002 to November 30, 2005:

Janifer Tissington-deHaas

W. Gardy,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: December 16, 2002
SUBJECT: **Report Number 2002-21 (From meeting of December 16, 2002)**

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated December 11, 2002 from the City Manager, Council ratify the Memorandum of Settlement negotiated with I.B.E.W. Local 636 - Public Works operating divisions for a new two-year collective agreement to September 30, 2004.

W. Gardy,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: December 10, 2002
SUBJECT: Report Number 2002-20 (From meeting of December 9, 2002)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated December 3, 2002 from the Multi-use Recreation Facility Committee, authority is hereby granted to the Multi-use Recreation Facility Committee to initiate the selection process for the retention of an architectural firm who will be responsible for the detailed design of the multi-use recreation facility.

2. THAT further to the report dated December 4, 2002 from the Economic Development Committee, Council begin procedures to assume and dedicate the unopened road allowance north from the north-west corner of Progress Drive as a municipal highway, subject to acquiring any necessary easements to accommodate a turning area at the northerly limit;
AND THAT TI Automotive and Orillia Woodworking be advised that municipal snow clearing will commence once the road allowance has been opened.

3. THAT the report dated November 28, 2002 from the Planning Advisory Committee regarding the new Comprehensive Zoning By-law, be adopted and implemented.

4. THAT City staff and the contractor's staff get together to find a resolve to this issue;
AND THAT failing resolution by staff, that the works liaison launch an investigation to find a resolve.

5. THAT the report dated December 2, 2002 from the Director of Public Works regarding a request for a splash guard/hand railing in front of 25 Front Street South, be received as informational;
AND THAT a copy of the report be forwarded to the Downtown Orillia Management Board for its information.

6. THAT the report dated December 2, 2002 from the Public Works Department regarding the Nutrient Management Act, be received as informational.

7. THAT as recommended in a report dated December 4, 2002 from the Director of Public Works, the Design Memorandum report prepared by Marshall, Macklin, Monaghan Ltd. be received as informational;

AND THAT the Director of Public Works be responsible for the submission of the Annual Compliance Report;

AND THAT a comprehensive tour of the Water Filtration Plant by members of Council be set within the next 60 days.

8. THAT as recommended in a report dated December 3, 2002 from the Manager of Council Services/Clerk, paragraph 4 of City of Orillia Policy Number 1.10.4.2. - Overhead Banners - Installation and Removal, be amended to add Coldwater Road as an approved location.

9. THAT the report dated December 4, 2002 from the Manager of Legislative Services regarding Animal Control, be referred to the 2003 Budget Committee.

10. THAT as recommended in a report dated November 29, 2002 from the Property Services Department, the Orillia Power Corporation be granted an easement to install an underground concrete encased duct bank along the easterly side of 24 Colborne Street, as well as a junction cubicle and box pad at the north-easterly corner of the same property;

AND THAT all expenses incurred be paid by the Orillia Power Corporation (advertising, survey, surplussing, and legal fees);

AND THAT staff be authorized to commence the process to have this land declared surplus to the needs of the municipality, as required for the granting of such an easement.

11. THAT as recommended in a report dated November 26, 2002 from the Manager of Legislative Services, Council adopt the following City of Orillia Municipal Code Chapters:

1. Chapter 450 of the City of Orillia Municipal Code – User Fees – Planning and Development.
2. Chapter 451 of the City of Orillia Municipal Code – User Fees – General Administration.
3. Chapter 452 of the City of Orillia Municipal Code – User Fees – Public Works.
4. Chapter 453 of the City of Orillia Municipal Code – User Fees – Fire.
5. Chapter 454 of the City of Orillia Municipal Code – User Fees – Property Services.
6. Chapter 455 of the City of Orillia Municipal Code – User Fees – Treasury.
7. Chapter 456 of the City of Orillia Municipal Code – User Fees – Parks and Recreation.

12. THAT as recommended in a report dated November 19, 2002 from the Manager of Legislative Services, the primary responsibility for parking enforcement be transferred to the City's Municipal Law Enforcement Officers (MLEO) with the O.P.P. being the secondary enforcement agency;

AND THAT approval be granted for the additional resources outlined in the report.

13. THAT the report dated December 2, 2002 from the Manager of Council Services/Clerk regarding the New Municipal Act - Procedure By-laws (s.238), be adopted; AND THAT Chapters 12, 22 and 105 of the City of Orillia Municipal Code be amended accordingly.

T. Lauer,
Chair.