



CITY OF ORILLIA COUNCIL MINUTES

2003-74

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, APRIL 28, 2003 AT 7:30 P.M. IN THE COUNCIL CHAMBER, CITY CENTRE

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.

Recessed - 7:35 p.m.

Re-assembled - 8:15 p.m.

Disclosure of Interest

1. Councillor Downey - re Clause 4. of Council Committee Report No. 2003-6.

Nature of Interest - Councillor Downey is a director of the Orillia District Chamber of Commerce.

Councillor Downey left the platform during discussion and voting.

2. Councillor Downey – re By-law Number 2003-59.

Nature of Interest – Councillor Downey’s secretary parks on Neywash Street.

Councillor Downey declined to discuss or vote on the matter.

3. Councillor Alexander - re Clause 8. of Council Committee Report No. 2003-6 and By-law Number 2003-56.

Nature of Interest - Councillor Alexander’s husband is a retired employee of TD Canada Trust.

Councillor Alexander left the Chair and platform during discussion and voting.

4. Councillor Lauer - re Deputation Item No. 2.

Nature of Interest - Councillor Lauer is a director of the Mariposa Folk Foundation.

Councillor Lauer left the platform during discussion and voting.

Deputations

1. Catherine Dowd, Chair of the Orillia Public Library Board, Joanna Rolland, Chair of the Building Steering Committee, Mike Saddy, C.E.O., Orillia Public Library, Rod Young, Architect and Mary Rose, Architect and Planner presented the “Building On Our Heritage: The New Orillia Public Library - A Report by the Building Steering Committee” and requested funding of \$50,000 to undertake an Architectural Urban Design Planning Study. File: C12-OPL

2. Gerry Hawes and Ted Duncan of the Mariposa Folk Foundation spoke to Council with respect to two previous requests made in conjunction with the 2003 Mariposa Folk Festival:
 - ♦ charging for parking at the festival site; and
 - ♦ and first right of refusal for bookings with the Barnfield Point Recreation Centre during the Festival. File: M02-GEN

2003-133 Moved by McLaughlin, seconded by Alexander, that the report dated April 1, 2003 by the Building Steering Committee of the Orillia Public Library Board entitled "Building on Our Heritage: The New Orillia Public Library", be received;

AND THAT the request for an expenditure of \$50,000 for the library to undertake an Architectural Urban Design Planning Study be referred to Council Committee for consideration and recommendation;

AND THAT the City Treasurer be requested to report to Council Committee at its June 9, 2003 meeting. Carried.

2003-134 Moved by Smith, seconded by Downey, that Council reconsider its previous action, by Resolution Number 2003-93 adopted on March 24, 2003, of declining a request from the Mariposa Folk Foundation to charge a parking fee in conjunction with the 2003 Mariposa Folk Festival and declining first right of refusal for bookings within Barnfield Point Recreation Centre during the Festival. **LOST**

2003-135 Moved by Buchanan, seconded by Smith, that Festival Orillia Inc. be granted the right of first refusal for any bookings within the Barnfield Point Recreation Centre during the 2003 Mariposa Folk Festival. Carried.

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) For Your Information - re ROMA Executive Committee 2003-2004.
 - b) For Your Information - re Emergency Personnel Protected by Bill Proclamation and New Local Improvement Charges Regulation is Filed.
 - c) For Your Information - re Deadline for Submissions - The Peter J. Marshall Municipal Innovative Awards, Wednesday, June 11, 2003.
 - d) Ontario Centre for Municipal Best Practices.
 - e) Alert - re AMO Reacts Favourably to the Housing Pilot Project.

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

2. Town of Innisfil - re requesting endorsement of its resolution regarding the Ontario Smart Growth Panel. File: C10-GEN

Recommendation: ~~Receive as informational.~~
(See Resolution Number 2003-137)

3. City of Sarnia - re court security costs. File: P01-GEN

Recommendation: Receive as informational.
Copy to Legislative Services' Division of the City Manager's Office.

4. Office of the Premier - re News Release entitled "Eves Government Introduces New Tax-Free Bonds to Build Local Infrastructure". File: A16-PG

Recommendation: Receive as informational.

5. Minister of Public Safety and Security - re National Emergency Preparedness (EP) Week, May 4 - 10, 2003. File: M02-GEN

Recommendation: Receive as informational.
Copy to Emergency Planning Committee.

6. Minister of Transportation - re 2003 transit funding allocation. File: F05-IN,XA16-MOT

Recommendation: Receive as informational.
Copy to Property Services Department.

7. County of Simcoe - re Media Release entitled "Simcoe County Reorganization Shows Positive Results". File: A16-COS

Recommendation: Receive as informational.

8. Orillia Power Corporation - re cut-offs for non-payment of Orillia Power accounts. File: C12-OPC

Recommendation: Receive as informational.

9. Communities in Bloom - re Municipal Gateway Competition - 2003. File: M02-GEN

Recommendation: Receive as informational.

10. Lake Simcoe Regional Airport - re correspondence from Steven Howcroft regarding airport noise. File: L04-L-68

Recommendation: Receive as informational.

11. Kelly Murphy - re requesting financial assistance. File: C12-GNT

Recommendation: Refer to Grants Committee.

12. Simcoe Condominium Corporation No. 183 - re Notice of Appeal, 486 Lacie Street. File: C01-2003-13

a) Letter - Director of Planning and Development.

Recommendation: Receive as informational.

13. Hillcrest Public School - re request for street closure to hold their annual school barbecue and silent auction. File: T08-GEN

Recommendation: That the following resolution be passed:

"THAT pursuant to a letter of request dated April 2, 2003 from Hillcrest Public School, Borland Street be closed to vehicular traffic between Peter and Matchedash Streets from 4:00 p.m. to 8:00 p.m. on Thursday, June 19, 2003 to allow for their annual school barbecue and silent auction, provided that the intersections remain open;

AND THAT a 20 foot right-of-way is maintained to comply with fire and safety regulations."

14. Property Services Department - re declare a portion of 24 Colborne Street East surplus (Municipal Parking Lot #1). File: L07-COL

Recommendation: That the following resolution be passed:

“THAT a portion of the City-owned land, known as 24 Colborne Street East, part of Lots 2, 3 and 4 on the north side of Colborne Street East, Registered Plan 12 and part of Lots 2, 3 and 4 on the south side of Mississaga Street, Registered Plan 12 in the City of Orillia, County of Simcoe, be declared surplus to the needs of the municipality.”

2003-136 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 April 28, 2003, with the exception of the recommendation(s) with respect to Correspondence Item(s) 2. which shall be introduced separately. Carried.

2003-137 Moved by Downey, seconded by Morano, that Council endorses the resolution of the Town of Innisfil regarding the Ontario Smart Growth Panel;

AND THAT copies of this resolution and the Town of Innisfil resolution be forwarded to the following:

Honourable David Young, Minister of Municipal Affairs and Housing
Garfield Dunlop, M.P.P., Simcoe North Carried.

Correspondence

1. Simcoe County District Health Unit - re request for Simcoe County Health status information. File: S08-SCHU (Motion)
2. Branch 34 Royal Canadian Legion - re temporary parking passes for Legion canvassers during the Poppy Campaign. File: T02-GEN (Motion)
3. Perry Maksymiw - re requesting permission to sell soft drinks and water in his Sweet Dreams Ice Cream building in Tudhope Park. File: P09-GEN (Motions)
4. Downtown Orillia Management Board - re Press Release regarding sidewalk patio café's. File: C12-DMB (Motion)

2003-138 Moved by Morano, seconded by Downey, that the correspondence dated April 7, 2003 from the Simcoe County District Health Unit regarding the Budget Committee's request for Simcoe County health status information, be received as informational. Carried.

2003-139 Moved by McLaughlin, seconded by Gardy, that as requested in a letter dated April 3, 2003 from the Branch 34 Royal Canadian Legion, volunteer canvassers for the Poppy campaign be issued temporary parking passes during the campaign period from October 31 - November 10, 2003;

AND THAT the passes be appropriated from the Grants budget. **LOST**

2003-140 Moved by Morano, seconded by Smith, that Council reconsider its previous action, by Resolution Number 2003-121 adopted on April 7, 2003, of declining a request from Perry Maksymiw to sell soft drinks and water in Tudhope Park. Carried by more than a 2/3 majority vote of all members of Council.

2003-141 Moved by Smith, seconded by Buchanan, that Council authorize Perry Maksymiw to sell soft drinks and water at his Sweet Dreams Ice Cream building located in Tudhope Park. Carried.

2003-142 Moved by Downey, seconded by Morano, that the proposal from the Downtown Orillia Management Board received April 24, 2003 regarding the licensing of outdoor cafes and the banning of sandwich boards be referred to Council Committee;

AND THAT the Manager of Legislative Services be requested to co-ordinate a staff report on the proposal for consideration at the Committee meeting on May 26, 2003, if feasible. Carried.

2003-143 Moved by Downey, seconded by Morano, that, pursuant to the Municipal Act, 2001 and Chapter 25 of the City of Orillia Municipal Code, Council advertise and hold a public meeting on the proposal of issuing licenses for sidewalk patio cafes in the downtown business improvement area and the proposal to amend the Sign By-law with respect to sandwich board signs;

AND THAT the public meeting be held, prior to staff reporting on the issue, on Monday, May 12, 2003. Carried.

Reports

1. Report Number 2003-6 of the Council Committee. (Motions) (See Pages 2003-81 - 2003-83)
2. Parking Advisory Committee - re Redevelopment of 22/24 Colborne Street Parking Lot. File: C12-PARK (Motion)
3. Communications Committee - re Public Education - Hydro Distribution Costs/West Nile Virus. File: C12-COM (Motion)

2003-144 Moved by Alexander, seconded by Lauer, that Report Number 2003-6 of the Council Committee, now before Council, be adopted with the exception of Clauses 1., 2., 3., 4., 8. and 14., which shall be introduced separately. Carried.

2003-145A Moved by Alexander, seconded by Lauer, that Clause 1. of Report Number 2003-6 of the Council Committee, now before Council, be adopted.

2003-145B Moved by McLaughlin, seconded by Gardy, that the motion now before Council be amended by adding the following clause:

“with the exception that the number of lanes to be constructed for the swimming pool be increased from six lanes to eight lanes.” Carried.

Recorded Vote

Yeas - McLaughlin, Gardy, Smith, Morano, Downey
Nays - Lauer, Alexander, Buchanan, Stevens

2003-145C Moved by Alexander, seconded by Lauer, that Clause 1. of Report Number 2003-6 of the Council Committee, now before Council, be adopted, with the exception that the number of lanes to be constructed for the swimming pool be increased from six lanes to eight lanes. Carried.

Recorded Vote

Yeas - McLaughlin, Gardy, Smith, Morano, Downey
Nays - Lauer, Alexander, Buchanan, Stevens

A verbal motion was passed to continue until 11:30 p.m.

2003-146 Moved by Lauer, seconded by Alexander, that the report dated April 23, 2003 from the Parking Advisory Committee regarding the redevelopment of 22/24 Colborne Street East parking lot, be adopted and implemented. Carried.

2003-147 Moved by Alexander, seconded by Lauer, that Clause 2. of Report Number 2003-6 of the Council Committee, now before Council, be adopted. Carried.

Recorded Vote

Yeas – Lauer, Alexander, McLaughlin, Gardy, Buchanan, Downey, Stevens

Nays – Smith, Morano

2003-148 Moved by Alexander, seconded by Lauer, that Clause 3. of Report Number 2003-6 of the Council Committee, now before Council, be adopted. Carried.

Recorded Vote

Yeas - Lauer, Alexander, McLaughlin, Gardy, Buchanan, Smith, Morano, Downey, Stevens

Nays - nil

2003-149 Moved by Alexander, seconded by Lauer, that Clause 4. of Report Number 2003-6 of the Council Committee, now before Council, be adopted. Carried.

2003-150 Moved by McLaughlin, seconded by Gardy, that Clause 8. of Report Number 2003-6 of the Council Committee, now before Council, be adopted. Carried.

2003-151 Moved by Alexander, seconded by Lauer, that Clause 14. of Report Number 2003-6 of the Council Committee, now before Council, be adopted. Carried.

2003-152 Moved by Lauer, seconded by Alexander, that as recommended in a report dated April 22, 2003 from the Communications Committee, the spring publication of the Orillia City Update include a public education article regarding hydro distribution and costs;

AND THAT the Communications Committee be authorized to advertise West Nile Virus prevention strategies on an ongoing basis in the City Bulletin Board and Orillia City Update publications. Carried.

2003-153 Moved by McLaughlin, seconded by Gardy, whereas the Board of Directors of Orillia Power Corporation passed the following motion at its March 27, 2003 Board Meeting:

“Resolved, that the Board of Directors of Orillia Power Corporation declares a dividend, subject to shareholder approval, in the amount of \$850,000 payable to the City of Orillia by May 8, 2003.”

THEREFORE BE IT RESOLVED, that the City of Orillia, being the Shareholder of the Orillia Power Corporation, ratifies the Board of Director’s dividend motion of March 27, 2003 and approves payment of a dividend to the Shareholder in the amount of \$850,000 by May 8, 2003. Carried.

By-laws

2003-154 Moved by Downey, seconded by Morano, that By-law Number 2002-126, a by-law to authorize a Franchise Agreement between the Corporation of the City of Orillia and Union Gas Limited, be now introduced and read a third time today. Carried.

By-law read a third time and passed.

2003-155 Moved by Downey, seconded by Morano, that the following by-laws be now introduced and read a first, second and third time today:

2003-55 A By-law to amend Chapter 493 of the City of Orillia Municipal Code - Remuneration - Expenses.

- 2003-56 A By-law to authorize the execution of an agreement with U.S. Bank National Association - VISA Purchasing Cards.
- 2003-57 A By-law to authorize the execution of Contract ST-03-30 with Aknor Construction Company Limited - West Street South Storm Sewer Rehabilitation.
- 2003-58 A By-law to authorize the execution of Contract R-03-8 with Johnstone Forest Products Ltd. - Water and Sewer Construction Assistance.
- 2003-60 A By-law to authorize the execution of an amending agreement to the Letter of Understanding with the Trails for Life Committee.

2003-156 Moved by Morano, seconded by Smith, that By-law Number 2003-59, Amendment Number 145 to Traffic and Parking Regulation By-law Number 1983-80, as amended, be now introduced and read a first, second and third time today. Carried.

2003-157 Moved by Smith, seconded by Buchanan, that By-law Number 2003-61, a by-law to confirm the proceedings of Council at its meetings held on April 28, 2003, 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 – 11:20 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: April 15, 2003
SUBJECT: Report Number 2003-6 (From meeting of April 14, 2003)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated April 9, 2003 from the Multi-Use Recreation Facility Committee, the indoor facility components, as set out in the report of the Site Development/Facility Design Sub-Committee dated April 1, 2003, be approved with the exception that seating for the olympic size ice pad be increased from 1000 to 1500 seats *with the exception that the number of lanes to be constructed for the swimming pool be increased from six lanes to eight lanes. (See Resolution Number 2003-145C)*
2. THAT as recommended in a report dated April 9, 2003 from the Multi-Use Recreation Facility Committee, the outdoor facility components, as set out in the report of the Playing Field/Outdoor Facilities Sub-Committee dated January 9, 2003, be approved.
3. THAT as recommended in a report dated April 9, 2003 from the Multi-Use Recreation Facility Committee, the report of the Operations Sub-Committee dated January 14, 2003, be received.
4. THAT as recommended in a report dated April 8, 2003 from the Recreation Facility Supervisor, the requirement for the Scottish Festival and Canada Day organizations to provide portable washrooms at the Port of Orillia administration building during their events, be deleted from the conditions of their facility permits.
5. THAT as recommended in a report dated April 8, 2003 from the Property Services Department, Orillia Power Corporation be granted an easement on Invermara Street;
AND THAT all expenses incurred be paid by Orillia Power Corporation (advertising, survey, surplussing and legal fees);
AND THAT staff be authorized to commence the process to have Invermara Street stopped up and closed and to have the portion of the street, exclusive of the existing drainage area, declared surplus to the needs of the municipality;
AND THAT staff be authorized to commence this process prior to Council ratification.

6. THAT as recommended in a report dated April 8, 2003 from the Property Services Department, Orillia Power Corporation be granted an easement on Part of Lot 12, Concession 2, (Geographic Township of South Orillia), now City of Orillia, County of Simcoe, PIN58570-0015 (LT) (Line 15 and Memorial Avenue);

AND THAT all expenses incurred be paid by 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, prior to ratification by Council.

7. THAT as recommended in a report dated April 8, 2003 from the Manager of Property and Purchasing, the Orillia Fine Arts Association be granted an indefinite lease renewal extension to the arrangement under which they are authorized to display local art in the Council Chamber corridor of the Orillia City Centre;

AND THAT this agreement may be cancelled by either party on sixty days written notice.

8. THAT as recommended in a report dated April 7, 2003 from the Manager of Property and Purchasing, the Purchasing Card program be changed to the U.S. Bank National Association (Royal Bank);

AND THAT the City enter into an agreement with the U.S. Bank National Association.

9. THAT as recommended in a report dated April 7, 2003 from the Director of Parks and Recreation, the Homewood Park Electrical Distribution System tender be awarded to the low tender of Rostance Electric in the amount of \$40,149.61, taxes included;

AND THAT staff be authorized to proceed with the project prior to ratification by Council.

10. THAT as recommended in a report dated April 7, 2003 from the Director of Parks and Recreation, an evaporative condenser for Brian Orser Arena be purchased from Diamond Refrigeration at a cost of \$42,563.53 including tax.

11. THAT the report dated April 7, 2003 from the Public Works Department regarding the Annual Road Program, be received as informational.

12. THAT as recommended in a report dated April 7, 2003 from the Public Works Department, Contract No. R-03-8 be awarded to Johnstone Forest Products Ltd. for water and sewer construction assistance, with payment made for actual work done under each item conforming to the terms of the contract.

13. THAT as recommended in a report dated April 4, 2003 from the Public Works Department, Contract No. ST-03-30, West Street South Storm Sewer Rehabilitation from Colborne Street to Mississaga Street, be awarded to Aknor Construction Company Limited for the tendered sum of \$72,251.75 (includes G.S.T.) with actual payment made for work done under contract unit prices;

AND THAT City staff be authorized to do all things necessary to complete the West Street South storm sewer rehabilitation.

14. THAT as recommended in a report dated April 7, 2003 from the Public Works Department, new concrete sidewalks be installed at the following locations:

1. On the west side of Westmount Drive between Mary Street and Mississaga Street.
2. On the north side of Mississaga Street from west of Westmount Drive to the existing walkway connecting Mississaga Street to Brandon Crescent and Lakeview Avenue.

15. THAT the report dated April 9, 2003 from the Director of Planning and Development and the Director of Public Works regarding Water and Sewage Design Flows, be adopted.

16. THAT the report dated April 9, 2003 from the City Manager regarding the Municipal Role in Orillia's Culture, be received as informational.

A. M. Alexander,
Chair.