



CITY OF ORILLIA COUNCIL MINUTES

2003-160

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, JULY 21, 2003 AT 9:45 P.M. FOLLOWING THE COUNCIL COMMITTEE MEETING

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

Disclosure of Interest

1. Councillor Smith - re Clause 13. of Council Committee Report 2003-11 and By-law Number 2003-104.

Nature of Interest - re Councillor Smith's sister lives at 60 Skyline Drive.

Councillor Smith declined to discuss the matter or to vote on its disposition
2. Councillor Downey - re Clause 3. of Committee of the Whole Council Report 2003-10 and By-law Number 2003-100.

Nature of Interest - the recommended appointee to the Planning Advisory Committee has co-signed for debt in his company.

Councillor Downey declined to discuss the matter or to vote on its disposition.
3. Councillor Downey - re Correspondence Item No. 2.

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

Councillor Downey declined to discuss the matter or to vote on its disposition
4. Councillor Downey - re Consent Item No. 7.

Nature of Interest - re Councillor Downey's wife is doing contract work for the Orillia Public Library.

Councillor Downey 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.

3. Mayor Stevens - re Mayor's Meetings with the Orillia Rotary Club and the Orillia Curling Club. File: M02-GEN
 - a) Letter - Marlene Murray.
 - b) Letter - Orillia Curling Club.
 - c) Letter - Marjorie Tomlin.
 - d) Rotary Festival of Trees - re withdrawal of request for use of the Barnfield Point Recreation Centre for the Festival in 2003 and 2004.

2003- 249 Moved by Downey, seconded by Morano, that the correspondence from the Rotary Club withdrawing its request for use of the Barnfield Point Recreation Centre for the Rotary Festival of Trees in December 2003 and November 2004 and the report of Mayor Stevens on the subject be received as informational:

AND THAT no further action be taken on the matter. Carried.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) For Your Information - re Report on Police Restructuring Released.
 - b) Alert - re AMO Response to the Report on Source Water Protection.
 - c) For Your Information - re Summary of Legislative Session and News on Controversial By-laws.
 - d) Alert - re AMO Invites CTF to Join in Review of Municipal Finance.
 - e) Alert - re New Nutrient Management Rules.
 - f) For Your Information - re Province to Close Judson Street Stores.

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

2. Ministry of Agriculture and Food - re Nutrient Management Act. File: A16-MAG

Recommendation: Receive as informational.
Copy to Planning and Development Department.
Copy to Public Works Department.

3. Minister of Citizenship - re annual accessibility plan. File: C12-AAC

Recommendation: Receive as informational.
Copy to Accessibility Advisory Committee.

4. Lake Simcoe Region Conservation Authority - re Lake Simcoe Water Quality Improvement Program progress report. File: A01-LAKE

Recommendation: Receive as informational.
Copy to Environmental Advisory Committee.

5. Simcoe County District Health Unit - re Public Service Announcement entitled "Protect Yourself from Mosquito Bites". File: S08-WNV

Recommendation: Receive as informational.
Copy to Public Works Department.

6. Municipal IPM/PHC Accreditation Working Group - re pesticides. File: P04-PES

Recommendation: ~~Receive as informational.~~
~~Copy to Parks and Recreation Department.~~
~~Copy to Environmental Advisory Committee.~~
(See Resolution Number 2003-251)

7. Mildred Readman - re proposed expansion of Orillia Public Library. File: C12-LIB

Recommendation: Receive as informational.
Copy to Orillia Public Library Board.
Copy to Farmers' Market Management Committee.

8. Fred MacLean - re Popular Hills Subdivision Park. File: R04-GEN

Recommendation: Refer to Council Committee.
Request report from the Parks and Recreation Department.

9. Ontario's Lake Country - re requesting permission to erect a billboard on the Inch Farm property. File: C01-

a) Memo - Economic Development Committee.

Recommendation: Refer to Council Committee.
Request report from the Real Estate Department and the Planning and Development Department.

10. Melanie Donald - re requesting free City bus passes for Canada World Youth participants volunteering at work placements from September to December 2003. File: T03-GEN

Recommendation: Refer to Council Committee.
Request report from the Real Estate Department.

11. Marlene Murray - re Rotary Festival of Trees Facility Request. File: M02-GEN

Recommendation: Receive as informational.

12. Downtown Orillia Management Board - re request for the Toronto Triumph Car Club to use Municipal Parking Lot #5 on Saturday, July 26, 2003 in conjunction with the Leacock Sidewalk Sale. File: C12-DOMB

Recommendation: That the following resolution be passed:

"THAT, pursuant to the request of the Downtown Orillia Management Board dated May 26, 2003, Municipal Parking Lot #5 be closed to vehicular traffic from 9:30 a.m. to 1:00 p.m. to allow the Toronto Triumph Car Club to participate in the Leacock Sidewalk Sale."

2003-250 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 July 21, 2003, with the exception of the recommendations with respect to Correspondence Items 6. and 7. which shall be introduced separately. Carried.

2003-251 Moved by Gardy, seconded by McLaughlin, that the recommendation with respect to Correspondence Item 6. on the Consent Agenda for the regular meeting of Council on July 21, 2003, read as follows:

Receive as informational.
Copy to Parks and Recreation Department.
Copy to Environmental Advisory Committee.
and make copies available to public. Carried.

2003-252 Moved by Lauer, seconded by Alexander, that the recommendation with respect to Correspondence Item 7. on the Consent Agenda for the regular meeting of Council on July 21, 2003 be adopted. Carried.

Correspondence

1. Packet and Times - re media packages. File: C12-COM
2. Mike and Irene – re dockage and hydro Russian Tall Ship –

2003-253 Moved by Smith, seconded by Morano, that the correspondence, received July 8, 2003 from the Packet and Times, respecting the distribution of agenda packages, be received as informational. Carried.

2003-254 Moved by Morano, seconded by Smith, that in connection with the visit of the Russian Tall Ship, "Saint Paul", Council has no objection to the Chamber of Commerce providing free dockage and hydro for the "Saint Paul" at the Port of Orillia, for the time frame approximately from July 21 to 28, 2003. Carried.

Reports

1. Report Number 2003-10 of the Committee of the Whole Council. (Motions)
(See Page 2003-165)
2. Report Number 2003-11 of the Council Committee. (Motions) (See Pages
2003-166- 2003-169)
3. City of Orillia - re 2002 Financial Report. File: F10-GEN (Motion)

2003-255 Moved by Buchanan, seconded by Smith, that Report Number 2003-10 of the Committee of the Whole Council, now before Council, be adopted with the exception of Clauses 3. and 5., which shall be introduced separately. Carried.

2003-256 Moved by Buchanan, seconded by Smith, that Clause 3. of Report Number 2003-10 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2003-257 Moved by Buchanan, seconded by Smith, that Clause 5. of Report Number 2003-10 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2003-258 Moved by McLaughlin, seconded by Gardy, that Report Number 2003-11 of the Council Committee, now before Council, be adopted with the exception of Clauses 2., 13. and 17., which shall be introduced separately. Carried.

2003-259 Moved by McLaughlin, seconded by Gardy, that Clause 2. of Report Number 2003-11 of the Council Committee, now before Council, be adopted. Carried.

2003-260A Moved by McLaughlin, seconded by Gardy, that Clause 13. of Report Number 2003-11 of the Council Committee, now before Council, be adopted.

2003-260B Moved by McLaughlin, seconded by Morano, that the motion now before Council, be amended by adding the following clause:

"with the exception that the interest rate listed in sub-clause 4 be amended from 6% to 5%". **LOST**

2003-260C Moved by McLaughlin, seconded by Gardy, that Clause 13. of Report Number 2003-11 of the Council Committee, now before Council, be adopted. Carried.

2003-261 Moved by McLaughlin, seconded by Gardy, that Clause 17. of Report Number 2003-11 of the Council Committee, now before Council, be adopted. Carried.

2003-262 Moved by Lauer, seconded by Alexander, that the City of Orillia 2002 Financial Report be received as informational. Carried.

Notice of Motion

Councillor Lauer advised that at the next regular meeting of Council he intends to introduce a motion rescind Resolution Number 2003-245, adopted by Council on June 30, 2003, respecting the availability of Council agendas.

By-laws

2003-263 Moved by Lauer, seconded by Alexander, that the following by-laws be now introduced and read a first, second and third time today:

2003-101 A By-law to release certain covenants and restrictions with respect to 10 Brammer Drive, Orillia.

2003-102 A By-law to authorize the sale of land in Drinkwater Industrial Park to 992163 Ontario Inc. (Parts 8 and 31, Reference Plan 51R-20297).

2003-103 A By-law to authorize the execution of Contract R-03-31 with K.J. Beamish Construction Co. Ltd. – Asphalt Resurfacing – Line 15 & Forest Avenue.

2003-105 A by-law to amend Chapter 25 of the City of Orillia Municipal Code – Procedures for Notice. Carried.

2003-264 Moved by Lauer, seconded by Alexander, that By-law Number 2003-99, Amendment Number 147 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.

2003-265 Moved by Alexander, seconded by Lauer, that By-law Number 2003-100, 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.

2003-266 Moved by Lauer, seconded by Alexander, that By-law Number 2003-104, a by-law to authorize the execution of Contract W-02-46 with Aknor Construction Company Limited – Construction of Municipal Water Servicing – Alexander Heights (Alexander Road, Ward Avenue, Skyline Drive, Lawson Avenue), be now introduced and read a first, second and third time today. Carried.

2003-267 Moved by Lauer, seconded by Alexander, that By-law Number 2003-106, a by-law to confirm the proceedings of Council at its meeting held on July 21, 2003, be now introduced and read a first, second and third time today. Carried.

Open Public Forum

- Nil

MEETING ADJOURNED – 10:45 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: July 21, 2003
SUBJECT: Report Number 2003-10 (From meeting of July 21, 2003)

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated July 14, 2003 from the Economic Development Committee, Council authorize the sale of .812 acres of land on Brammer Drive in the Drinkwater Business Park, being composed of Parts 8 and 31 on Reference Plan 51R-20297, to 992163 Ontario Inc. at a price of Twenty-four Thousand Dollars (\$24,000) and pursuant to the terms and conditions contained in an Agreement of Purchase and Sale dated July 14, 2003;

AND THAT the sale be subject to easements shown as Parts 8, 9, 11, 15, 16, 28 and 29 on Reference Plan 51R-20329 in favour of the City of Orillia and the Orillia Power Corporation or its subsidiaries.

2. THAT the report dated July 7, 2003 from the Director of Real Estate, respecting a rental settlement with French's Stand, be adopted.

3. THAT the following is hereby appointed a member of the Planning Advisory Committee, to replace J. William Keech, for a term expiring November 30, 2005:

Kelly Lassaline

4. THAT Council approve the request of the Recreation Advisory Committee for an extension of Pete Bowen's term for a further three years to November 30, 2006; AND THAT Section 2) of City Policy No. 1.3.3.1., respecting maximum consecutive terms, be waived in this instance.

5. THAT as recommended in a report dated July 16, 2003 from the City Manager, Craig Metcalf be appointed to the position of Director of Culture and Heritage, effective July 22, 2003;

AND THAT the staff of the Leacock Museum and the Opera House be transferred to the new Department on the same day;

AND THAT the Department assume responsibility for the Leacock Museum and the Opera House from July 22, 2003, in accordance with Council's previous decisions.

M. Buchanan,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: July 21, 2003
SUBJECT: Report Number 2003-11 (From meeting of July 21, 2003)

Your Committee is pleased to report and recommend as follows:

1. THAT, as requested in a report dated May 27, 2003 from the Waste Management Advisory Council, the Committee be authorized to amend the garbage tag survey as set out in the said report;

AND THAT all residents who request five additional garbage tags be required to complete the survey sheet.

2. THAT as recommended in a report dated June 25, 2003 from the Orillia Public Library Board, Council authorize continuation of Sunday openings at the Orillia Public Library, based on the success of the pilot project, between the weekend following Thanksgiving to the last weekend in April in each year.

3. THAT as recommended in a report dated July 15, 2003 from the Multi-Use Recreation Facility Committee, authority be granted to issue a Request for Proposals to undertake a Fundraising Feasibility Study for the multi-use recreation facility;

AND THAT the study be funded out of the approved 2003 capital project budget for MURF studies.

4. THAT as recommended in a report dated July 10, 2003 from the Manager of Economic Development, the remaining restrictive covenants for 10 Brammer Drive be removed;

AND THAT a by-law to authorize the release of such restrictive covenants be prepared.

5. THAT the following is hereby appointed a member of the Trails for Life Committee for a term expiring March 31, 2006:

Tim Mullen

6. THAT as recommended in a report dated July 4, 2003 from the Planning Advisory Committee, the request from the Water Depot for a variance from Section 832.6.2 a) ii) of the Municipal Code (Sign By-law) to permit a second ground sign on one lot, with a separation distance from another ground sign on the same lot of less than 45m (148 ft.) and the second sign located on the same street frontage, be approved conditional upon the sign height not exceeding the height of the bottom of the existing Pizza Hut sign if the sign location is to be lined up with and less than 20m from the existing Pizza Hut sign.

7. THAT the reports dated June 4, 2003, July 2, 2003 and July 7, 2003 from the Orillia Police Services Board, Director of Real Estate and Parking Advisory Committee respectively, with respect to the creation of a Transit Commission, be received as informational.

8. THAT the report dated July 7, 2003 from the Director of Public Works regarding the standing water at the east end of a culvert crossing Bay Street, be received as informational;
AND THAT a copy of the report be forwarded to Sybil Brown for her information.

9. THAT the report dated July 7, 2003 from the Public Works Department regarding curbside large item pick-up, be received as informational.
AND THAT the report be referred to the 2004 Budget.

10. THAT as recommended in a report dated July 2, 2003 from the Director of Real Estate, 1555314 Ontario Inc (also known as East Way Inc.) be awarded the job of refurbishing the three Orillia Transit 40' Orion buses at the total tendered price of \$99,646.92 (tax included);
AND THAT the Director of Real Estate be authorized to approve verifiable extras encountered during this three-bus refurbish project up to a further total of \$14,000;
AND THAT the one 2001 Thomas 40' conventional transit bus be purchased from Paling Industries for the total price of \$119,880 (tax included);
AND THAT one new 35' low platform EZ-Rider II transit bus be purchased from City View Bus and Truck Repair and Sales Limited for the total tendered price of \$392,895.42 (tax included);
AND THAT one new mini transit Ford chassis wheelchair bus be purchased from City View Bus and Truck Repair and Sales Limited for the total tendered price of \$74,925 (tax included).

11. THAT the report dated July 15, 2003 from the Deputy City Treasurer regarding Operating Budget Reports - January to June 2003, be received as informational.

12. THAT as recommended in a report dated July 12, 2003 from the City Treasurer, Council:

- i) provide five-year, 4% interest rate financing of development charges payable for the twelve unit building proposed by the Foxfell Friends Co-operative;
- ii) approve a ten-year municipal property tax holiday (post construction) for the twelve unit building proposed by the Foxfell Friends Co-operative, providing that Foxfell Friends Co-operative Community enter into an agreement with the County of Simcoe to provide affordable housing with the twelve unit complex.

13. THAT as recommended in a report dated July 11, 2003 from the Public Works Department and the City Treasurer:

1. THAT Council authorize the installation of watermain, water services and hydrants including all appurtenant works on:
 - ◆ Alexander Rd. from Sta. -0+005 to Sta. 0+145 (Skyline Dr. to Lawson Ave.)
 - ◆ Ward Ave. from Sta. -0+005 to Sta. 0+145 (Skyline Dr. to Lawson Ave.)
 - ◆ Skyline Dr. from Sta. 0+009 to Sta. 0+145 (from 140m North of Lawson Ave. to Lawson Ave.)
 - ◆ Lawson Ave. from Sta. -0+020 to Sta. 0+137 (from 90m West of Skyline Dr. to Ward Ave.);
2. THAT Contract W-02-46 for construction of Municipal Water Servicing "Alexander Heights" (Alexander Rd., Ward Ave., Skyline Dr., Lawson Ave.) be awarded to Aknor Construction Company Limited for the tendered sum of Two Hundred and Sixty-eight Thousand, Eight Hundred and Sixteen dollars and Ten cents (\$268,816.10), (including G.S.T.) with actual payment made for work done under contract unit prices;
3. THAT the property owners be required to pay \$2,000.00 per service lateral and \$189.05 per metre frontage with the City paying the balance, including the cost of fire hydrants;
4. THAT the interest rate of 6.0% per year, amortized over 15 years, be applied to the outstanding balance owed to the City.

14. THAT as recommended in a report dated July 11, 2003 from the Public Works Department, Contract R-03-31, Asphalt resurfacing of Line 15 from Barrie Road north for 1310 metres and Forest Avenue from Victoria Crescent north for 1285 metres, be awarded to K.J. Beamish Construction Co. Ltd. for the tendered sum of Two Hundred and Forty-seven Thousand, Five Hundred and Twenty-five Dollars and Two Cents (\$247,525.02) (including 7% G.S.T.) with actual payment for work done under contract unit prices;

AND THAT City staff be authorized to do all things necessary to complete Contract R-03-31, Asphalt Resurfacing 2003.

AND THAT the Director of Public Works be instructed to report on the proposed disposition of the surplus on this contract at the August 11, 2003 Committee meeting.

15. THAT as recommended in a report dated July 14, 2003 from the City Manager, the remuneration policy for appointees to Boards and Committees set out in Schedule "B" of Chapter 493 of the City of Orillia Municipal Code be repealed, effective November 30, 2003, with the exception of the provisions governing the Police Services Board and the Committee of Adjustment.

16. THAT as recommended in a report dated July 14, 2003 from the City Manager, commencing in 2006, an appreciation event be held during each Council term to enable Council to recognize the valuable contribution of citizen appointees on the City's various Boards and Committees.

17. THAT the report dated July 15, 2003 from the City Manager regarding the meeting of the MURF Committee and the Public Library Board, be received as informational.

18. THAT the report dated July 14, 2003 from the Manager of Council Services/Clerk with respect to the new Municipal Act - Lame Duck Council, be received as informational.

19. THAT as recommended in a report dated July 14, 2003 from the Manager of Council Services/Clerk, Council amend Chapter 25 of the City of Orillia Municipal Code - Procedures for Notice with respect to Form of Notice and Alternate Method of Giving Notice, as set out in the report.

K. McLaughlin,
Chair.