



CITY OF ORILLIA COUNCIL MINUTES

2004-1

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, JANUARY 19, 2004 AT 7:30 P.M. FOLLOWING THE PUBLIC MEETING RE PLANNING MATTERS

Present: Mayor R. Stevens in the Chair
Councillors: R. Cipolla
D. Downey
W. Gardy
T. Lauer
G. Morano
F. Smith
P. Spears

Absent: Councillor J. Rolland

Presentation

Mark Bisset, Managing Editor of the Packet and Times, with the assistance of Mayor Stevens, presented the "Citizen of the Year" Award to Doug Lewis.

Meeting recessed - 7:45 p.m.

Meeting re-assembled - 8:35 p.m.

Disclosure of Interest

1. Councillor Downey - re Consent Item No. 12.

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

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.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) Alert - re Government has listened to AMO - Municipal Government Exempt from Value-for-Money Audits.
 - b) Alert - re AMO has been heard on Planning Reform.
 - c) For Your Information - re City of Toronto Pesticide By-law Upheld by Superior Court.
 - d) Alert - re Province takes Responsibility for Nuisance Bears.
 - e) Alert - re Moratorium on Water-Taking Permits Announced.
 - f) Alert - re Municipalities to Receive Blue Box Funds.
 - g) For Your Information - re End of the Year Wrap-Up for Municipal Government, \$ Millions in 2004 for Blue Box Program.
 - h) Alert - re AMO and Others Successful in Achieving Financial Support for Child Care.
 - i) For Your Information - re AMO Expresses Concern about Recent Federal Rumbblings around the Anticipated "New Deal".

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

2. The Municipality of West Elgin - re requesting endorsement of its resolution regarding a proposed "omitted assessment" for trailers. File: C10-GEN
Recommendation: Receive as informational.
3. City of Sarnia - re requesting endorsement of its resolution regarding tax assessment. File: C10-GEN
Recommendation: Receive as informational.
4. City of Sarnia - re requesting endorsement of its resolution regarding the Municipal Property Assessment Corporation (MPAC). File: C10-GEN
Recommendation: Receive as informational.
5. Natural Resources Canada - re EnerGuide for Houses - Grants for Homeowners. File: A16-FED
Recommendation: ~~Receive as informational.~~
~~Copy to Planning and Development Department.~~
~~Copy to Housing Committee.~~
(See Resolution Number 2004-5)
6. Ministry of Natural Resources - re News Release entitled "McGuinty Government Takes Action on Nuisance Bears". File: A16-MNR
Recommendation: Receive as informational.
7. Minister of Finance and Minister of Municipal Affairs - re 2004 CRF funding. File: F11-CRF
Recommendation: Receive as informational.
Copy to Treasury Department.
8. Simcoe County District School Board - re invitation to attend an evening with Dr. Philip Fitch Vincent to discuss "Character Education: Why and How", February 5, 2004. File: M02-GEN
Recommendation: Receive as informational.
9. Simcoe County District School Board - re letter of thanks for providing bus transportation for cooperative education students for 2003-2004. File: T03-GEN
Recommendation: Receive as informational.
10. Teranet Enterprises Inc., MPAC and the Ministry of Natural Resources - re Ontario Parcel database project. File:
Recommendation: Receive as informational.
Copy to Planning and Development Department.
Copy to Public Works Department.
Copy to Treasury Department.
11. Orillia Power Corporation - re correspondence to Bob Savage regarding "Smart Cards". File: C12-OPC
Recommendation: Receive as informational.

12. Orillia District Chamber of Commerce - re payment as per Port of Orillia Management Contract. File: L04-O-304
- Recommendation: Receive as informational.
Copy to Parks and Recreation Department.
Copy to Treasury Department.
13. Orillia Lawn Bowling Club - re request to review lease. File: L04-O-310
- Recommendation: Refer to Council Committee.
Request report from the Real Estate Department.
14. Lake Simcoe Region Conservation Authority - re Holland Marsh Water Quality Improvement Project, Schedule C Class Environmental Assessment.
File: A01-LAKE
- Recommendation: Receive as informational.
Copy to Environmental Advisory Committee.
15. Communities in Bloom - Ontario - re 2004 Communities in Bloom Competition.
File: M02-BLOM
- Recommendation: Receive as informational.
16. Pamela J. Goodaire - re condition of town docks at the Port of Orillia. File: A01-CHA
- Recommendation: Receive as informational.
Copy to Orillia District Chamber of Commerce.
17. Melissa Gammon - re requesting financial assistance. File: C12-GNT
- Recommendation: Forward grant application to Ms. Gammon for submission to the Grants Committee.
18. Janet-Lynne Durnford, V-Day Orillia - re request to waive rental fee for Orillia Opera House Lightfoot Auditorium, February 13, 2004. File: F11-OUT
- Recommendation: Copy to Culture and Heritage Department in conjunction with previous referral.
19. Lake Simcoe Region Conservation Authority - re appointment to the Board of Directors. File: A01-LAKE
- Recommendation: That the following resolution be passed:
- “THAT Mayor Stevens be re-appointed as the City of Orillia’s ex-officio member to the Lake Simcoe Region Conservation Authority for a term expiring November 30, 2006.”
20. Twin Lakes Conservation Club - re Tudhope Park wetland. File: R04-GEN
- Recommendation: ~~Receive as informational.
Copy to Staff Steering Committee co-ordinating the Tudhope Park Master Plan update.~~
(See Resolution Number 2004-8)

2004-4 Moved by Gardy, seconded by Cipolla, that Council adopt the recommendations as set out on the Consent Agenda for the Regular Meeting of Council on January 19, 2004, with the exception of the recommendation(s) with respect to Correspondence Item(s) 5., 8., 12. and 20. which shall be introduced separately. Carried.

2004-5 Moved by Cipolla, seconded by Gardy, that the recommendation with respect to Correspondence Item 5. on the Consent Agenda for the regular meeting of Council on January 19, 2004, read as follows:

Receive as informational.
Copy to Planning and Development Department.
Copy to Orillia Power Corporation.
Copy to Housing Committee.
Advertise the availability of this program in the City Bulletin Board.
Carried.

2004-6 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 8. on the Consent Agenda for the regular meeting of Council on January 19, 2004 be adopted. Carried.

2004-7 Moved by Spears, seconded by Lauer, that the recommendation with respect to Correspondence Item 12. on the Consent Agenda for the regular meeting of Council on January 19, 2004 be adopted. Carried.

2004-8 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Item 20. on the Consent Agenda for the regular meeting of Council on January 19, 2004, read as follows:

Receive as informational.
Copy to Staff Steering Committee co-ordinating the Tudhope Park Master Plan update.
Copy to Environmental Advisory Committee.
Copy to Recreation Advisory Committee.

Correspondence

1. Township of Oro-Medonte - re speed limit on Bass Lake Sideroad. File: C01-2004- (Motion)

2004-9 Moved by Morano, seconded by Smith, that Council concur with the actions of the Corporation of the Township of Oro-Medonte to reduce the existing 80 km/h speed limit on Bass Lake Sideroad between the westerly limit of the City and Harvie Settlement Road to 60 km/h;

AND THAT Clause 6. of Report Number 2003-15 of the Council Committee, adopted by Resolution Number 2003-350 on October 27, 2003, be rescinded;

AND THAT a by-law be prepared to amend the Traffic and Parking Regulation by-law accordingly. Carried.

Reports

1. Report Number 2004-1 of the Committee of the Whole Council. (Motions)
(See Page 2004-7)
2. Report Number 2004-1 of the Council Committee. (Motion) (See Pages 2004-8 - 2004-9)
3. Mayor Stevens - re Appointment to Lake Country Board. File: C01-2004- (Motion)
4. Councillor Spears - re Pilot Project - Community Safety Zones. File: T07-COM
(Motion)

2004-10 Moved by Morano, seconded by Smith, that Report Number 2004-1 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2004-11 Moved by Gardy, seconded by Cipolla, that the motion now before Council be amended by adding the following clause:

“with the addition to Clause 2. as follows:

‘with the exception that Clause 19. of the Agreement of Purchase and Sale be deleted’”.

LOST

2004-12 Moved by Lauer, seconded by Spears, that Report Number 2004-1 of the Council Committee, now before Council, be adopted with the exception of Clauses 3. and 4., which shall be introduced separately. Carried.

2004-13 Moved by Lauer, seconded by Spears, that Clause 3. of Report Number 2004-1 of the Council Committee, now before Council, be adopted. Carried.

2004-14 Moved by Cipolla, seconded by Gardy, that the motion now before Council be amended by adding the following:

“with the addition of the following clause:

‘And further that once the set fine order has been received, owners of fast food premises be requested to post a sign advising patrons that the fine for littering is \$200.’”
Carried.

2004-15 Moved by Lauer, seconded by Spears, that Clause 4. of Report Number 2004-1 of the Council Committee, now before Council, be adopted. Carried.

2004-16 Moved by Morano, seconded by Smith, that as recommended in a report dated December 22, 2003 from Mayor Stevens, Robert Lamb, Manager of Economic Development, be appointed as the City of Orillia representative on the Ontario’s Lake Country Board of Directors. Carried.

2004-17 Moved by Spears, seconded by Morano, that the report dated January 13, 2004 from Councillor Spears respecting Community Safety Zones, be referred to Council Committee for consideration and recommendation;

AND THAT the Public Works Department, in conjunction with the Orillia Police Services Board, be requested to report to Committee. Carried.

By-laws

2004-18 Moved by Downey, seconded by Smith, that the following by-laws be now introduced and read a first, second and third time today:

2004-2 Amendment Number 151 to Traffic and Parking Regulation By-law Number 1983-80, as amended.

2004-3 A By-law to accept and dedicate certain lands from 1435958 Ontario Inc. for the purpose of road widening (190 Laclie Street).

2004-4 A By-law to authorize the execution of an agreement with Joseph Schachter and P. Schachter Sons Limited - Trunk Sewer.

2004-5 A By-law to confirm an agreement of purchase for Part 20 on Plan 51R-20297, City of Orillia, (formerly Township of Orillia), County of Simcoe - Drinkwater Business Park - 2006941 Ontario Ltd.

2004-6

2004-19 Moved by Smith, seconded by Downey, that By-law Number 2004-6, a by-law to confirm the proceedings of Council at its meeting held on January 19, 2004, 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 - 10:00 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: January 13, 2004
SUBJECT: **Report Number 2004-1 (From meeting of January 12, 2004)**

Your Committee is pleased to report as follows:

1. THAT an agreement be entered into between the City and Joseph Schachter and P. Schachter & Sons Limited respecting easements for the relocation of an existing sanitary sewermain on property generally following the old C.N. rail corridor located between Mississaga Street and Elgin Street;

AND THAT a 2004 Capital budget of \$100,000, consisting of \$75,000 from the Water and Wastewater Reserve and \$25,000 from the Development Charges Reserve, be pre-approved for completion of the project.

2. THAT Council approve the sale of 1.586 acres, more or less, on Huronia Road in the Drinkwater Business Park, being designated as the property composed of Part 20 on Plan 51R-20297 as shown on Schedule "A" attached to the report, to 2006941 Ontario Ltd. for the price of \$40,000 pursuant to the terms and conditions contained in the December 16, 2003 Agreement of Purchase and Sale.

G. Morano,

Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: January 13, 2004
SUBJECT: Report Number 2004-1 (From meeting of January 12, 2004)

Your Committee is pleased to report and recommend as follows:

1. THAT the report dated December 18, 2003 from the Environmental Advisory Committee regarding their Annual Report 2004, be received as informational.

2. THAT as recommended in a report dated January 7, 2004 from the Environmental Advisory Committee, the City agree to a 50% cost-sharing for the installation and maintenance of a six-foot chain link fence along the mutual boundary of Scout Valley with 2895 Old Barrie Road and 2995 Old Barrie Road;
AND THAT \$12,500 be allocated from the capital budget for this purpose.

3. THAT as recommended in a report dated January 5, 2004 from the Manager of Legislative Services, an application be made to the Ministry of the Attorney General, Regional Senior Justice, for an increase in the set fine amount for Chapter 839 of the City of Orillia Municipal Code (Anti-Littering) from \$105.00 to \$200.00;
And further that once the set fine order has been received, owners of fast food premises be requested to post a sign advising patrons that the fine for littering is \$200.

(See Resolution Number 2004-14)

4. THAT the report dated January 6, 2004 from the Manager of Property and Purchasing regarding the air quality in the Orillia City Centre, be received as informational.

5. THAT as recommended in a report dated January 6, 2004 from the Chief Building Official, the issue of Building Department office automation and efficiencies be referred to budget considerations.

6. THAT as recommended in a report dated January 6, 2004 from the Public Works Department, an all-way stop be implemented at the intersection of Regent Street and Oxford Street;
AND THAT an adult crossing guard not be implemented at this intersection at this time;
AND THAT Resolution Number 2003-389 adopted by Council on December 15, 2003, be amended by deleting the clause:

"That the Traffic and Parking By-law be amended to provide for Regent Street as a through street and Oxford Street as a stop street."

7. THAT the report dated December 2, 2003 from the Public Works Department regarding the intersection of Matchedash Street and Neywash Street, be received as informational.

8. THAT as recommended in a report dated January 7, 2004 from the Public Works Department, road closures be permitted on Fitton's Road from approximately 80m east of Jamieson Drive to Fitton Heights during the contractor's working hours when storm sewer, watermain or sanitary sewer work is being done;

AND THAT a letter be sent to the local detachment of the O.P.P. advising them not to enforce the "No Heavy Trucks" designation on West Street from Fitton's Road to Commerce Road for the duration of the Fitton's Road reconstruction project.

9. THAT as recommended in a report dated January 6, 2004 from the City Treasurer, Council, by resolution declare that the intended use of Orillia's 2004 CRF Allocation be for the benefit of taxpayers;

AND THAT Council accept the 2004 CRF Allocation in accordance with the terms and conditions provided in the Deputy Ministers' letter of December 22, 2003, subject to review and reconciliation to actual CRF costs;

AND THAT the City's 2003 Financial Information Return (FIR) be provided to the Ministry of Municipal Affairs and Housing (MMAH) in accordance with the deadline to be set by the MMAH;

AND THAT a copy of the City 2004 tax rate by-laws be provided to the MMAH by September 30, 2004.

10. THAT the report dated December 19, 2003 from the Director of Planning and Development regarding Bill 26 - Strong Communities Amendment Act, be received as informational.

11. THAT as recommended in a report dated January 7, 2004 from the Director of Parks and Recreation, \$2,350 be pre-approved and subsequently added to the 2004 Operating Budget to provide for additional winter parking services in the Centennial Park launch ramp parking lot in accord with the report.

12. THAT the Committee Chairmanships be determined as follows for the 2003-2006 Council term:

- ◆ Each Councillor shall Chair three regularly scheduled Council Committee meetings in succession.
- ◆ The rotation order shall be determined by lot amongst the eight Councillors.
- ◆ Following two full rotations, the remaining meetings will also be drawn by lot.
- ◆ Committee of the Whole meetings shall be Chaired by the next Council Committee Chair.
- ◆ Special Meetings of Council Committee and Committee of the Whole shall be Chaired by the Mayor.

T. Lauer,
Chair.