



CITY OF ORILLIA COUNCIL MINUTES

2004-262

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, NOVEMBER 8, 2004 AT 7:30 P.M. IN THE COUNCIL CHAMBER

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

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

Disclosure of Interest

1. Councillor Lauer - re Grants Committee Report 2004-3.

Nature of Interest - Councillor Lauer's spouse is a past president of the Orillia Rowing Club.

Councillor Lauer declined to discuss the matter or to vote on its disposition.
2. Councillor Spears - re Correspondence Item No. 1 and Consent Item No. 3.

Nature of Interest - Councillor Spears has an immediate family member who is an employee of the Ontario Good Roads Association.

Councillor Spears declined to discuss the matter or to vote on its disposition.
3. Councillor Downey - re Consent Item No. 5.

Nature of Interest - Councillor Downey is a Director on the Board of Directors.

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

Deputation

David Walker, Campaign Chair for the "Our History, Our Museum, Our Future" campaign and Gloria Taylor, Museum Curator, provided details regarding the Simcoe County Museum's project and requested the City's financial support. File: A16-COS

2004-351 Moved by Morano, seconded by Garland, that the request from the Simcoe County Museum for a contribution of \$72,000 to the "Our History, Our Museum, Our Future" campaign for the Simcoe County expansion project, be referred to the 2005 Budget Committee for consideration. Carried.

Minutes

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

Correspondence

1. Ontario Good Roads Association/Rural Ontario Municipal Association - re Preliminary Program for the OGRA/ROMA Conference, February 20 - 23, 2005. File: A04-GEN (Motion)
2. Ontario Provincial Police, Orillia Detachment - re 2005 Business Plan. File: C12-PSB (Motion)

2004-352 Moved by Downey, seconded by Garland, that the following are hereby authorized to attend the 2005 OGRA/ROMA Annual Conference in Toronto from February 20 - 23, 2005, with expenses:

Councillor Morano
Councillor Smith Carried.

2004-353 Moved by Morano, seconded by Smith, that the letter dated October 27, 2004 from the Orillia O.P.P. Detachment regarding the 2005 Business Plan, be received as informational. Carried.

Reports

1. Report Number 2004-17 of the Council Committee. (Motions) (See Pages 2004-269 - 2004-271)
2. Grants Committee - re Report Number 2004-3. File: C12-GNT (Motions)
3. Orillia Police Services Board - re Taxi By-law. File: C12-PSB (Motion)
4. Economic Development Committee - re Creation of Orillia University Committee Mayor's Task Force. File: C12-UC (Motion)
5. Director of Public Works - re Receipt of MURF Soil at the Kitchener Street Waste Diversion Site. File: C12-MURF (Motion)
6. Manager of Special Projects - re Project No. 0315, Multi-Use Recreational Facilities Site Preparation Tender. File: L04- (Motion)

2004-354 Moved by Smith, seconded by Morano, that Report Number 2004-17 of the Council Committee, now before Council, be adopted with the exception of Clause 1., which shall be introduced separately. Carried.

2004-355A Moved by Smith, seconded by Morano, that Clause 1. of Report Number 2004-17 of the Council Committee, now before Council, be adopted.

2004-355B Moved by Lauer, seconded by Spears, that the motion now before Council be amended by adding the following:

AND THAT the Orillia Power Corporation be requested to report on the costs and logistics of renovating the hydro substation located at the corner of West and Queen Streets. Carried.

2004-355C Moved by Smith, seconded by Morano, that Clause 1. of Report Number 2004-17 of the Council Committee, now before Council, be adopted;

AND THAT the Orillia Power Corporation be requested to report on the costs and logistics of renovating the hydro substation located at the corner of West and Queen Streets. Carried.

2004-356 Moved by Gardy, seconded by Cipolla, that as recommended in Report Number 2004-3 of the Grants Committee, Council approve the following grants:

Orillia Terry Fox Committee	\$150.00	
Big Sisters Association of Orillia & District	\$1,200.00	
Orillia Christian Centre	\$2,000.00	
Orillia Amateur Radio Club	\$700.00	
Orillia Youth Symphony Orchestra	\$2,000.00	
Good Food Box Program	\$1,500.00	Carried.

2004-357 Moved by Gardy, seconded by Cipolla, that as recommended in Report Number 2004-3 of the Grants Committee, Council approve the following grant:

Orillia Rowing Club	\$750.00	Carried.
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2004-358 Moved by Gardy, seconded by Cipolla, that the request by the Grants Committee in Report Number 2004-3 for their 2005 budget to remain at \$25,000, be referred to the Budget Committee. Carried.

2004-359 Moved by Downey, seconded by Garland, that the report dated October 27, 2004 from the Orillia Police Services Board regarding the Taxi By-law, be received as informational. Carried.

2004-360A Moved by Cipolla, seconded by Gardy, that as recommended in a report dated October 29, 2004 from the Economic Development Committee, Council approve the creation of the "Orillia University Mayor's Task Force" which will become a sub-committee of the Economic Development Committee;

AND THAT the Orillia University Mayor's Task Force will make recommendations to Council on matters relating to the City of Orillia's attempt to create a university campus on the Huronia Regional Centre grounds;

AND THAT the following members be appointed to the Task Force:

Mayor Ron Stevens	Chair
Anderson Charters	Vice-Chair (member of the Orillia University Committee)
Councillor Francis Smith	EDC member
Councillor Tim Lauer	EDC member
Councillor Ralph Cipolla	EDC member
Don Ross	(member of the Orillia University Committee)
Will McGarvey	(member of the Orillia University Committee)
Fred Larsen	(member of the Orillia University Committee)

Ex-officio members (non-voting)

Robert Lamb	Manager of Economic Development
Garfield Dunlop	M.P.P., Simcoe North
Dennis Smith	(Alternate member from the Orillia University Committee who will have voting ability if standing in for an absent member of the Orillia University Committee)

2004-360B Moved by Downey, seconded by Spears, that the motion now before Council be amended by adding the following at the end of the listing of members to the Task Force:

Dave Dubois, Dean, Georgian College - Orillia	LOST
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2004-360C Moved by Cipolla, seconded by Gardy, that as recommended in a report dated October 29, 2004 from the Economic Development Committee, Council approve the creation of the "Orillia University Mayor's Task Force" which will become a sub-committee of the Economic Development Committee;

AND THAT the Orillia University Mayor's Task Force will make recommendations to Council on matters relating to the City of Orillia's attempt to create a university campus on the Huronia Regional Centre grounds;

AND THAT the following members be appointed to the Task Force:

Mayor Ron Stevens	Chair
Anderson Charters	Vice-Chair (member of the Orillia University Committee)
Councillor Francis Smith	EDC member
Councillor Tim Lauer	EDC member
Councillor Ralph Cipolla	EDC member
Don Ross	(member of the Orillia University Committee)
Will McGarvey	(member of the Orillia University Committee)
Fred Larsen	(member of the Orillia University Committee)

Ex-officio members (non-voting)

Robert Lamb	Manager of Economic Development
Garfield Dunlop	M.P.P., Simcoe North
Dennis Smith	(Alternate member from the Orillia University Committee who will have voting ability if standing in for an absent member of the Orillia University Committee) Carried.

2004-361 Moved by Cipolla, seconded by Gardy, that the report dated November 3, 2004 from the Director of Public Works regarding the receipt of MURF soil at the Kitchener Street Waste Diversion Site, be received as informational. Carried.

2004-362 Moved by Cipolla, seconded by Gardy, that as recommended in a report dated November 3, 2004 from the Manager of Special Projects, the Contract for Project No. 0315, Multi-use Recreational Facilities Site Preparation Tender be awarded to K.J. Beamish Construction Co. Ltd. for the tendered sum of \$1,699,075., excluding G.S.T., with actual payment for work done under contract unit prices, to be funded out of the MURF reserve fund;

AND THAT the consulting firm of Shaheen & Peaker Limited be retained to provide on-site supervision, at the estimated cost of \$45,400. to be funded out of the 2004 approved budget for MURF consulting fees;

AND THAT City staff be authorized to do all things necessary to complete Project No. 0315 Multi-use Recreational Facilities Site Preparation;

AND THAT the Contractor be exempt from Chapter 938 of the City of Orillia Municipal Code during the hours of 6:00 a.m. - 7:00 a.m. and during the hours of 9:00 p.m. - 12:00 midnight for the duration of the contract. Carried.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) News Release - re Ontario Government Proposes Broader Coverage for Ontarians with Disabilities.
 - b) News Release - re AMO Working to Ensure Pit Bull Ban is Practical for Municipalities.

- c) News Release - re AMO Welcomes Proposed Legislation to Combat Marijuana Grow-Ops.
- d) Alert - re Standing Committee on General Government completes consideration of Bill 26, the *Strong Communities (Planning Amendment) Act*.
- e) Alert - re Province Introduces Proposed Accessibility for *Ontarians with Disabilities Act, 2004*.
- f) Blue Box Program - Urgent Appeal.
- g) Alert - re A.M.O. Submission on changes to Regulation 170/03.

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

2. Ministry of Transportation - re use of "Jake Brakes" along Highway No. 12 bypass. File: T08-GEN

Recommendation: Receive as informational.
Copy to Mrs. Mary E. Wilson.

3. Ontario Good Roads Association - re Highlights from the OGRA Board of Directors' Meeting, October 1, 2004. File: A01-GEN

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

4. Pitch-In Ontario - re 2005 Pitch-In Canada Week, April 18 - 24, 2005. File: M02-GEN

Recommendation: Receive as informational.

5. Orillia District Chamber of Commerce - re proposed Orillia Transportation Master Plan. File: T05-TMP

Recommendation: Refer to Public Works Department in conjunction with the Transportation Master Plan process.

6. Orillia Hall of Fame Committee - re invitation to attend the Induction Ceremony, November 19, 2004. File: M02-GEN

Recommendation: Receive as informational.

7. Diane Duffy - re proposed breed ban on "pit bulls". File: L11-PG

Recommendation: Receive as informational.

8. Eric K. Gillespie, Barrister and Solicitor - re proposed MURF site. File: C12-MURF

Recommendation: Refer to City Solicitor.

9. Real Estate Department - re disposal of surplus City-owned property - Bruce Avenue unopened road allowance and lane. File: C01-2004-

Recommendation: That the following resolution be passed:

"THAT the unopened portion of the Bruce Avenue road allowance and lane lying between Bruce Avenue and Glencoe Avenue in the City of Orillia, County of Simcoe, more particularly described as:

Firstly: The Lane on Registered Plan 573 abutting Lots 211 and 216, City of Orillia (formerly Township of South Orillia), County of Simcoe, being PIN 58640-0265(LT).

Secondly: Bruce Avenue, Registered Plan 573 lying west of Provincial Highway (also known as Memorial Avenue), City of Orillia (formerly Township of South Orillia), County of Simcoe, being PIN 58640-0267(LT)

be declared surplus to the needs of the municipality."

10. Councillor Cipolla - re poverty profile in Orillia. File: C12-HC

Recommendation: Receive as informational.

2004-363 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 November 8, 2004, with the exception of the recommendation(s) with respect to Correspondence Item(s) 3., 5. and 10. which shall be introduced separately. Carried.

2004-364 Moved by Downey, seconded by Garland, that the recommendation with respect to Correspondence Item 3. on the Consent Agenda for the regular meeting of Council on November 8, 2004 be adopted. Carried.

2004-365 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 November 8, 2004 be adopted. Carried.

2004-366 Moved by Cipolla, seconded by Gardy, that the recommendation with respect to Correspondence Item 10. on the Consent Agenda for the regular meeting of Council on November 8, 2004 be adopted. Carried.

By-laws

2004-367 Moved by Downey, seconded by Garland, that the following by-laws be now introduced and read a first, second and third time today:

- 2004-168 A By-law to stop up and close part of Bruce Avenue and the lane lying between Bruce Avenue and Glencoe Avenue and to authorize the sale to Wilson Property Inc.
- 2004-169 A By-law to amend Chapter 127 of the City of Orillia Municipal Code - Auditors.
- 2004-170 A By-law to authorize the execution of an Agreement with Simcoe Condominium Corporation #187, Simcoe Condominium Corporation #208, Simcoe Condominium Corporation #213, Simcoe Condominium Corporation #215, Simcoe Condominium Corporation #228, and Simcoe Condominium Corporation #233 - Leacock Village Emergency Assistance.
- 2004-171 A By-law to authorize the execution of an Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Ministry of Transportation for the Province of Ontario - Dedicated Gas Tax Funds.
- 2004-172 A By-law to amend Chapter 208 of the City of Orillia Municipal Code - Sick Leave Gratuity.
- 2004-173 A By-law to authorize the execution of an Agreement with Marshall Macklin Monaghan Limited for Professional Engineering Services (Stormwater Management Master Plan).
- 2004-174 A By-law to authorize the execution of a Contract with K.J. Beamish Construction Co. Ltd. - MURF - Site Preparation.

2004-368 Moved by Garland, seconded by Downey, that By-law Number 2004-175, a by-law to confirm the proceedings of Council at its meeting held on November 8, 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.

Meeting recessed - 9:15 p.m.

Meeting re-assembled - 9:25 p.m.

Open Public Forum

1. Pat Hehn - re poverty in Orillia.
2. Colleen Cooney - re MURF site wetland and soil.
3. Doug Peddle - re MURF site soil.
4. Brian Hare - re MURF site soil.
5. Kelly Clune - re MURF site soil.
6. Allan Millard - re MURF site soil and notification of a potential lawsuit.
7. Janine Baker - re MURF site soil.

MEETING ADJOURNED - 9:40 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: November 2, 2004
SUBJECT: **Report Number 2004-17 (From meeting of November 1, 2004)**

Your Committee is pleased to report and recommend as follows:

1. THAT the semi-annual report dated November 1, 2004 from the Orillia Power Corporation, be received as informational;

AND THAT the Orillia Power Corporation be requested to report on the costs and logistics of renovating the hydro substation located at the corner of West and Queen Streets. (See Resolution Number 2004-355C)

2. THAT the Orillia Power Corporation be requested to report to Committee of the Whole about increasing generation business for the next six months.

3. THAT as recommended in a report dated October 18, 2004 from the City Manager, Council endorse the resolution from Norfolk County Council requesting the Province to remove the impediment to economic development represented by the Province's insistence on receiving full market value for its reversionary interest in harbour basins;

AND THAT the Government Relations Committee be requested to pursue this issue at the political level to supplement the City Manager's efforts at the staff level.

4. THAT the report dated October 27, 2004 from the Deputy City Treasurer regarding the Operating Budget Reports from January to September 2004, be received as informational.

5. THAT as recommended in a report dated October 8, 2004 from the City Treasurer, Council appoint the accounting firm Grant Thornton as municipal auditors for the City of Orillia and Orillia Power Corporation (OPC) for the five-year term from 2004 to 2008, providing the costs of the annual audits remain at a level acceptable to the City Treasurer.

6. THAT as recommended in a report dated October 27, 2004 from the Director of Public Works, the City agrees in principle to operate the Villages of Leacock Sanitary Sewage Pumping Station for the Villages of Leacock at the condominium corporations' cost;

AND THAT staff be directed to explore contractual options to negotiate an agreement for recommendation to Council.

7. THAT the report dated October 26, 2004 from the Public Works Department regarding the 2003 Recycling Council of Ontario Award, be received as informational.

8. THAT as recommended in a report dated October 26, 2004 from the Public Works Department, the contract to provide consulting engineering services for the development of a Stormwater Management Master Plan for the City be awarded to Marshall Macklin Monaghan Incorporated for the price of \$67,250 (GST extra).

9. THAT as recommended in a report dated October 22, 2004 from the Director of Real Estate, an allocation request be forwarded to the Ministry of Transportation for approximately \$196,470 for funding assistance under the 2004 Ontario Transit Renewal Program.

10. THAT as recommended in a report dated October 26, 2004 from the Director of Real Estate, a Letter of Agreement between Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the City of Orillia relating to the funding provided by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds for the Public Transportation Program be authorized, and a supporting by-law be adopted.

11. THAT as recommended in a report dated October 21, 2004 from the Director of Real Estate, the City assume the estimated \$800 cost of providing four free Orillia Transit buses on Sunday, November 21, 2004 in support of the Santa Claus parade;

AND THAT the City assume the estimated \$700 cost of providing two free Orillia Transit buses for a New Year's Eve service between 6:45 p.m. on December 31, 2004 to 1:45 a.m. on January 1, 2005;

AND THAT the funds be appropriated from the Transit Operating budget.

12. THAT as recommended in a report dated October 18, 2004 from the Director of Real Estate, Leslie and Edward Cormode be granted a License of Occupation for a shed encroaching on City property described as the unopened Welland Street road allowance;

AND THAT Mr. Daniel Lutes be granted a License of Occupation for a shed encroaching on City property described as the unopened Jones Street road allowance;

AND THAT each agreement allow for the cancellation of the Licenses of Occupation by either party and prohibit the replacement of the structures in the event of their deterioration, collapse or removal; such Licenses of Occupation will be only for the shed and therefore all other debris, personal belongings, etc. are to be removed from the road allowances;

AND THAT the granting of these licenses be subject to a \$500.00 encroachment fee, plus a further \$500.00 legal expense fee as per City policy.

13. THAT as recommended in a report dated October 18, 2004 from the City Manager, the Sickness and Disability Benefit Plan for employees contained in By-law 1983-139, being Chapter 208 of the Municipal Code, be updated in accordance with the report.

14. THAT as recommended in a report dated October 18, 2004 from the City Manager, Policy 5.6.1.1. - Hiring and Promotion - be amended in accordance with the policy attached to the report;

AND THAT the Orillia Public Library Board be requested to adopt the same policy for the library.

F. Smith,
Chair.