



CITY OF ORILLIA COUNCIL MINUTES

2004-277

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, NOVEMBER 29, 2004 AT 8:00 P.M. FOLLOWING THE PUBLIC MEETING RE WATER AND SEWER FEES AND RATES

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

Disclosure of Interest

1. Councillor Downey - re Consent Item No.'s 14. and 15.

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

Sandra Horney, Director of Resource Services and Bill Hutton, Director of Administrative Services provided a powerpoint presentation on the SARS action plan Province wide and in Simcoe County, reviewed the 2004 budget increase and answered questions of Council.

Minutes

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

Correspondence

1. Farmers' Market Manager - re Special Thursday Evening Market, December 23, 2004. File: C12-FMMC (Motion)

2004-372 Moved by Gardy, seconded by Cipolla, the Orillia Farmers' Market be authorized to hold a special evening market on Thursday, December 23, 2004 from 3:00 p.m. to 8:00 p.m. in the Orillia Opera House. Carried.

Reports

1. Report Number 2004-13 of the Committee of the Whole Council. (Motion)
(See Pages 2004-282 - 2004-284)
2. Report Number 2004-18 of the Council Committee. (Motion) (See Pages
2004-285 - 2004-286)
3. Clause 10. of Report Number 2004-16 of the Council Committee.
4. Councillor Spears - re Room in City Centre Used by Ministry of Transportation.
File: A20-CC (Motion)
5. Finance Liaison Councillors - re Nuisance/Loitering By-law. File: (Motion)

2004-373 Moved by Garland, seconded by Smith, that Report Number 2004-13 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2004-374 Moved by Smith, seconded by Morano, that Report Number 2004-18 of the Council Committee, now before Council, be adopted with the exception of Clause 7., which shall be introduced separately. Carried.

2004-375A Moved by Smith, seconded by Morano, that Clause 7. of Report Number 2004-18 of the Council Committee, now before Council, be adopted.

2004-375B Moved by Lauer, seconded by Cipolla, that the motion now before Council be amended by adding the following clause:

"with the exception that \$70,000 shall be funded from Capital Contingency in lieu of the City Centre Capital Reserve Fund." Carried.

2004-375C Moved by Smith, seconded by Morano, that Clause 7. of Report Number 2004-18 of the Council Committee, now before Council, be adopted with the exception that \$70,000 shall be funded from Capital Contingency in lieu of the City Centre Capital Reserve Fund. Carried.

2004-376 Moved by Morano, seconded by Smith, that Clause 10. of Report Number 2004-16 of the Council Committee, now before Council, be adopted. Carried.

2004-377 Moved by Spears, seconded by Smith, that as recommended in a report dated November 16, 2004 from Councillor Spears, an extension to March 31, 2005 be given to the Ministry of Transportation to use the City facilities, at no cost, for the mandatory driver examination requirements for drivers over 80 years of age;

AND THAT Council asks Garfield Dunlop, M.P.P., to look into this matter to ensure that seniors in the City don't have to travel to other Centres for this examination. Carried.

2004-378 Moved by Downey, seconded by Garland, that Chapter 658 of the City of Orillia Municipal Code - Obstruction - Encumbrance - Fouling, be amended to include the creation of an offence for loitering on municipal property and obstructing the front entrance of any premise. Carried.

2004-379 Moved by Cipolla, seconded by Gardy, that Councillor Spears be appointed to the Ad Hoc Sign Advisory Committee established to review the existing Sign By-law. Carried.

2004-380 Moved by Lauer, seconded by Spears, that the functioning wetland area, adjacent to the southerly boundary of the MURF site, between the proposed parking area and the most easterly ball diamond, be assessed by the appropriate qualified professionals as to its ecological and other values as a wetland, such as educational and recreational values, and its potential for use for stormwater management for the large hard surfaced area adjacent to it;

AND THAT the area be immediately fenced off from construction activity until the appropriate assessment has been completed and accepted by the City. **LOST**

A two-third majority vote was taken to waive the 24 hrs. Notice on a motion presented by Councillor Lauer regarding the MURF wetland and it was Lost.

Notice of Motion

Councillor Gardy gave notice that he will introduce a motion at the next regular meeting of Council regarding the Tudhope Park Master Plan.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) Alert - re MOE Extends Regulation 170 Compliance Deadline.
 - b) Alert - re Provincial Government Releases "Ontario's Rural Plan".
 - c) Alert - re Canada, Ontario and AMO Launch COMRIF Program.

Recommendation: Receive as informational.
Copied to appropriate Departments and Agencies.
2. Ministry of Municipal Affairs and Housing - re News Release entitled "Canada and Ontario Making Major Investment in Municipal and Rural Infrastructure". File: A16-MMAH

Recommendation: Receive as informational.
3. Ministry of Consumer and Business Services - re News Release entitled "McGuinty Government Offers Advice to Holiday-Season Travellers". File: A16-MCBS

Recommendation: Receive as informational.
4. Ministry of Consumer and Business Services - re News Release entitled "McGuinty Government Offers Advice to Protect Consumers Online". File: A16-MCBS

Recommendation: Receive as informational.
5. Government of Canada and Government of Ontario - re News Release entitled "Canada and Ontario Provide \$2 Million in Funding to Build Affordable Condominiums". File: A16-FED,XA16-PG

Recommendation: Receive as informational.
6. Municipal Property Assessment Corporation (MPAC) - re annual assessment update of all properties in Ontario. File: A16-MPAC

Recommendation: Receive as informational.
Copy to Treasury Department.
7. Simcoe County District Health Unit - re enforcement of smoke-free by-laws in Orillia. File: L04-S-177

Recommendation: That staff be authorized to advise the Simcoe County District Health Unit that the City is satisfied to have the current arrangement continue.
8. Simcoe County District Health Unit - re Health Track - The Simcoe County District Health Unit Annual Report for 2003. File: S08-SCHU

Recommendation: Receive as informational.
9. Severn Sound Environmental Association - re budget request for 2005 municipal share. File: L04-S-184

Recommendation: Refer to 2005 Budget Committee.

10. Branch 34 Royal Canadian Legion - re free bus transportation for Veterans.
File: T03-GEN

Recommendation: Refer to Real Estate Department in conjunction with previous referral.

11. The Recycling Council of Ontario - re Citation of Merit. File: M08-GEN

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

12. Dr. Don Munro - re responsibility of the MURF Communications Committee.
File: C12-MURF

Recommendation: Receive as informational.
Copy to MURF Communications Committee.

13. Chamberlain Architect Services Limited - re Juno Beach Centre, Normandy, France. File:

Recommendation: Receive as informational.

14. Orillia District Chamber of Commerce - re invitation to attend the 115th Annual Dinner Meeting, January 13, 2005. File: M02-GEN

Recommendation: That the following resolution be passed:

"THAT members of Council and spouses are hereby authorized to attend the Orillia District Chamber of Commerce 115th Annual Dinner Meeting at Fern Resort on Thursday, January 13, 2005, with expenses."

15. Orillia District Chamber of Commerce - re proposed 2005 special events.
File: M02-GEN

Recommendation: Refer to Parks and Recreation Department in conjunction with annual report.

16. Downtown Orillia Management Board - re appointment of Board of Directors.
File: C01-2004-

Recommendation: That the following resolution be passed:

"THAT the following be appointed members of the Downtown Orillia Management Board for a two-year term:

Kathi Shropshire
Allan Francoz
Rita Skentzos
Shelley Love"

17. Simcoe Dufferin Muskoka Crime Stoppers - requesting financial assistance for 2005. File: F05-BUD

Recommendation: Refer to 2005 Budget Committee.

2004-381 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 29, 2004, with the exception of the recommendation(s) with respect to Correspondence Item(s) 5., 10., 14., 15. and 16. which shall be introduced separately. Carried.

2004-382 Moved by Gardy, seconded by Lauer, that the recommendation with respect to Correspondence Item 5. on the Consent Agenda for the regular meeting of Council on November 29, 2004 be adopted. Carried.

2004-383 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 29, 2004 be adopted. Carried.

2004-384 Moved by Lauer, seconded by Spears, that the recommendation with respect to Correspondence Items 14. and 15. on the Consent Agenda for the regular meeting of Council on November 29, 2004 be adopted. Carried.

2004-385 Moved by Lauer, seconded by Spears, that the recommendation with respect to Correspondence Item 16. on the Consent Agenda for the regular meeting of Council on November 29, 2004 be adopted. Carried.

By-laws

2004-386 Moved by Garland, seconded by Smith, that the following by-laws be now introduced and read a first, second and third time today:

2004-178 A By-law to establish a Capital Reserve Fund - Dedicated Gas Tax Funds.

2004-179 A By-law to amend Chapter 459 of the City of Orillia Municipal Code - User Fees - Public Works - Water and Wastewater.

2004-180 A By-law to repeal and replace Chapter 261 of the City of Orillia Municipal Code - Purchasing.

2004-181 A By-law to release certain covenants and restrictions with respect to 865 West Ridge Blvd. (Galaxy Theatre).

2004-182 A By-law for the purpose of appointing members to certain Boards, Committees and other designated offices.

2004-183 Amendment Number 442 to By-law Number 1973-100, the Zoning By-law for the City of Orillia - Remove Holding Restriction (1369317 Ontario Ltd. - 486 Laclie Street).

2004-184 Amendment Number 161 to Traffic and Parking Regulation By-law Number 1983-80, as amended.

2004-387 Moved by Garland, seconded by Downey, that By-law Number 2004-185, a by-law to confirm the proceedings of Council at its meetings held on November 29, 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 - 10:05 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: November 23, 2004
SUBJECT: Report Number 2004-13 (From meeting of November 22, 2004)

Your Committee is pleased to report as follows:

1. THAT the following be re-appointed members of the Accessibility Advisory Committee for a three-year term expiring November 30, 2007:

Doreen M. Hislop
Brenda Jenkins

2. THAT the following be re-appointed members of the Environmental Advisory Committee for a three-year term expiring November 30, 2007:

Carolyn Pigeau
Bob Bowles

3. THAT the following be appointed a member of the Environmental Advisory Committee for a three-year term expiring November 30, 2007:

Andrew P. Barnett

4. THAT the following be appointed a member of the Farmers' Market Management Committee, to replace Richard Jolliffe, for a term expiring November 30, 2006:

Fran Pirrie (Orillia Farmers' Market Organization)

5. THAT the following be appointed a member of the Farmers' Market Management Committee for a term expiring November 30, 2007:

Peter Hewitt (Orillia Farmers' Market Organization)

6. THAT the following be re-appointed a member of the Municipal Heritage Committee for a three-year term expiring November 30, 2007:

Heather Bertram

7. THAT the following be appointed a member of the Municipal Heritage Committee, to replace John Harris, for a term expiring November 30, 2005:

Paul Blanche

8. THAT the following be appointed members of the Municipal Heritage Committee for a three-year term expiring November 30, 2007:

Pete Bowen
Mary Van Sinclair

9. THAT the following be appointed a member of the Order of Orillia Awards Committee for a term expiring November 30, 2006:

Phyllis Atkey

10. THAT the following be re-appointed a member of the Orillia Hall of Fame Committee for a three-year term expiring November 30, 2007:

Andrew W. Johnston

11. THAT the following be re-appointed a member of the Orillia Youth Opportunities Committee for a three-year term expiring November 30, 2007:

William Stackhouse

12. THAT the following be appointed a member of the Orillia Youth Opportunities Committee for a two-year term expiring November 30, 2006:

David Martineau

13. THAT the following be appointed a member of the Orillia Youth Opportunities Committee for a three-year term expiring November 30, 2007:

Kathleen Swartz

14. THAT the following be re-appointed members of the Parking Advisory Committee for a three-year term expiring November 30, 2007:

Michael Knight
Shelley Love

15. THAT the following be re-appointed a member of the Planning Advisory Committee for a three-year term expiring November 30, 2007:

Gerald Sharpe

16. THAT the following be appointed a member of the Planning Advisory Committee for a three-year term expiring November 30, 2007:

Linda House

17. THAT the following be re-appointed members of the Recreation Advisory Committee for a three-year term expiring November 30, 2007:

Angela Paylor
Deborah Collins

18. THAT the following be appointed a member of the Recreation Advisory Committee, to replace Merv James, for a term expiring November 30, 2006:

Ken McLaughlin

19. THAT the following be appointed a member of the Recreation Advisory Committee for a three-year term expiring November 30, 2007:

Neil Jason Roe

20. THAT the following be re-appointed members of the Waste Management Advisory Council for a three-year term expiring November 30, 2007:

Jim Edwards
Alison Braun

D. Downey,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: November 23, 2004
SUBJECT: Report Number 2004-18 (From meeting of November 22, 2004)

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated November 10, 2004 from the Ad Hoc Transit Committee:

- a) the existing transit operating contract with Laidlaw School Transit Ltd. be extended for a period of one year, commencing July 1, 2005, under the same terms and conditions as the original contract, with a 3% increase in the operating rate.
- b) the Orillia Transit "later evening bus service" trial be extended to the end of April 2005;

AND THAT the cost of the service be funded from the 2004/05 Dedicated Gas Tax funding program.

- c) a TeleTech/West Ridge Subdivision/Couchiching Point trial route commence on or about January 1, 2005 for a period of six months;

AND THAT the estimated \$36,000 cost of providing this trial service be funded from the 2004/05 Dedicated Gas Tax funding program.

2. THAT as recommended in a report dated November 17, 2004 from the Senior Planner, an Ad Hoc Sign Advisory Committee be established to review the existing by-law and to be comprised of the following:

One Council member
One Downtown Orillia Management Board member
One Orillia District Chamber of Commerce member
One Sign Company representative

AND THAT staff support for the Committee be provided by the Planning and Development Department and the Legislative Services Division of the City Manager's Office.

3. THAT as recommended in a report dated November 16, 2004 from the Fire Chief, Council approve the expenditure of \$5,258 to continue the salary and benefits for the contract person hired to assist with Emergency Planning for a further period from January 1, 2005 until March 31, 2005 pending a decision by the 2005 Budget Committee.

4. THAT as recommended in a report dated November 15, 2004 from the Director of Parks and Recreation, the soft drink proposal submitted by Pepsi Bottling Group of Canada, for a three-year period commencing January 1, 2005 and concluding December 31, 2007, be approved.

5. THAT as recommended in a report dated November 17, 2004 from the Director of Culture and Heritage, Council approve a contract in the amount of \$46,375 (plus G.S.T.) with Corporate Research Group/Euclid Canada for a Cultural Planning Study.

6. THAT as recommended in a report dated November 16, 2004 from the Manager of Property and Purchasing, Chapter 261 of the City of Orillia Municipal Code be repealed and replaced with the new Purchasing By-law, attached to the report, subject to a review by the Manager of Legislative Services.

7. THAT as recommended in a report dated November 16, 2004 from the Manager of Property and Purchasing, Council approve the expense of \$188,000 for renovations to the City Centre, \$70,000 of which to be funded from the City Centre Capital Reserve Fund and \$118,000 of which is to be funded from the Barnfield Point Recreation Reserve;
AND THAT the contribution from the Barnfield Point Recreation Reserve will be repaid, with interest, over the next five years from rents charged to the tenant *with the exception that \$70,000 shall be funded from Capital Contingency in lieu of the City Centre Capital Reserve Fund.* **(See Resolution Number 2004-375C)**

8. THAT as recommended in a report dated November 15, 2004 from the Manager of Economic Development, Council remove the restrictive covenants for 865 West Ridge Blvd. (Galaxy Theatre) as requested by the solicitor of 1391071 Ontario Limited.

9. THAT as recommended in a report dated November 5, 2004 from the Manager of Economic Development, Council authorizes the Economic Development Committee to extend the contract of the Administrative Assistant until the end of March to coincide with the 2005 Budget deliberations.

10. THAT as recommended in a report dated November 17, 2004 from the Manager of Economic Development, Council hold a Public Meeting to consider the modification of the Institutional Development Charge rate.

11. THAT as recommended in a report dated November 10, 2004 from the Assistant to the Manager of Council Services, Council adopt the 2005 Council and Council Committee meeting schedule as set out in the report.

F. Smith,
Chair.