



CITY OF ORILLIA COUNCIL MINUTES

2005-24

MINUTES OF THE REGULAR MEETING OF COUNCIL, MONDAY, FEBRUARY 14, 2005 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 Downey - re Correspondence Item No. 2 and Consent Item No. 15.

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

Councillor Downey declined to discuss the matters or to vote on their disposition.

2. Councillor Downey - re Consent Item No.'s 23. and 24.

Nature of Interest - Councillor Downey's firm represents Orillia Canada Day Inc. and Senior Awareness Orillia.

Councillor Downey declined to discuss the matters or to vote on their disposition.

3. Councillor Spears - re Consent Agenda Item No.'s 12. and 13.

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

Councillor Spears declined to discuss the matters or to vote on their disposition.

Presentations

1. Mayor Stevens, assisted by Councillors Downey and Lauer, presented the "2004 Heritage Community Recognition Program" Award to the Orillia Museum of Art and History Building Steering Committee, represented by Richard Oatway.

File: M08-GEN

2. Mayor Stevens, assisted by Councillors Gardy and Cipolla, presented the "2004 Athlete of the Year" Award to Ken Smith. File: M08-GEN

Minutes

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

Correspondence

1. Association of Municipalities of Ontario - re AMO's Survey on Municipal Council Term. File: A01-AMO,XC07-GEN (Motion)

2. Orillia District Chamber of Commerce - re request for a meeting regarding business representation on the Economic Development Committee.
File: C12-EDC (Motion)

3. Kathy Uren - re smoking issues at Twin Lakes Secondary School. File: A16-SCBE
 - i) Letter dated January 26, 2005 to Councillor Cipolla.
 - ii) Letter dated January 27, 2005 to Councillor Cipolla.
 - iii) Letter dated January 28, 2005 to Twin Lakes Secondary School.
 - iv) Observations of traffic flow. (Motion)

 - a) Manager of Council Services/Clerk - re correspondence to the Simcoe County District School Board.

4. Taylor Crook - re benefit concert for the Tsunami victims, March 5, 2005.
File: M02-GEN (Motion)
 - a) Memo - Director of Culture and Heritage.

2005-35 Moved by Morano, seconded by Smith, that Council respond to the Association of Municipalities of Ontario survey on Municipal Council Terms, dated February 2005, as follows:

- | | | | | | |
|-------|-------|-----------------|----|--------------|----------|
| 1. | Yes | <u> X </u> | No | <u> </u> | |
| 3. | Yes | <u> </u> | No | <u> X </u> | |
| 4. | Yes | <u> X </u> | No | <u> </u> | |
| 4.(b) | Month | <u> June </u> | | | |
| 5. | Yes | <u> X </u> | No | <u> </u> | |
| 6. | Yes | <u> </u> | No | <u> X </u> | Carried. |

2005-36 Moved by Smith, seconded by Morano, that Council refer the request of the Orillia District Chamber of Commerce for business input into the City's economic development activities to the Economic Development Committee for consideration and recommendation to Council. Carried.

2005-37 Moved by Cipolla, seconded by Downey, that the correspondence from Kathy Uren, dated January 26, 27 and 28, 2005 regarding safety issues at Twin Lakes Secondary school, be referred to Council Committee for consideration and recommendation;

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

2005-38 Moved by Morano, seconded by Smith, that no action be taken on the request of Mr. Taylor Crook, received February 1, 2005 for a grant to assist with the rental fees for the Orillia Opera House for the production of a fundraising concert in support of the Red Cross tsunami relief efforts in South Asia. **LOST**

2005-39 Moved by Lauer, seconded by Spears, that Council approve a grant to Mr. Taylor Crook and organizers equal to the amount of the rental fees for the Orillia Opera House for the production of a fundraising concert in support of the Red Cross tsunami relief efforts in South Asia, subject to the production of documentation satisfactory to the Director of Culture and Heritage covering the issues raised in the Director's memo dated February 9, 2005. Carried.

Reports

1. Report Number 2005-2 of the Committee of the Whole Council. (Motion)
(See Page 2005-31)
2. Report Number 2005-3 of the Council Committee. (Motion) (See Pages 2005-32 - 2005-34)

3. Clause 3. of Report Number 2005-2 of the Council Committee. (Motion)
4. Mayor Stevens - re MURF Steering Committee. File: C12-MURF (Motion)
5. Ontario Provincial Police, Orillia Detachment - re 2005 Business Plan. File: C12-PSB
(TABLED)
6. Ad Hoc Transit Committee - re Transit Subsidy Plan. File: C12-TC (Motion)

2005-40 Moved by Garland, seconded by Downey, that Report Number 2005-2 of the Committee of the Whole Council, now before Council, be adopted. Carried.

2005-41 Moved by Garland, seconded by Downey, that Report Number 2005-3 of the Council Committee, now before Council, be adopted. Carried.

2005-42 Moved by Downey, seconded by Spears, that Clause 3. of Report Number 2005-2 of the Council Committee, now before Council, be adopted. Carried.

2005-43 Moved by Morano, seconded by Smith, that as recommended in a report dated February 10, 2005 by Mayor Stevens, Council establish a MURF Steering Committee, comprised of all members of Council, to coordinate all aspects of the MURF project with the Mayor being the spokesperson for the MURF Steering Committee. Carried.

2005-44 Moved by Cipolla, seconded by Spears, that the 2005 Business Plan of the Ontario Provincial Police, Orillia Detachment, be received as informational. **TABLED**

2005-45 Moved by Downey, seconded by Garland, that as recommended in a report dated February 10, 2005 from the Ad Hoc Transit Committee, the Transit Subsidy Plan outlining the proposed distribution of the 2004/2005 Capital Gas Tax Funding allocation, be adopted and implemented. Carried.

Consent Agenda

1. Association of Municipalities of Ontario: File: A01-AMO
 - a) Alert - re Province Reduces Property Tax Pass-Through for Recreational Uses Along Hydro Corridors to 50% from 100%.
 - b) Alert - re CRF Update.
 - c) Alert - re AMO Presentation on *Accessibility for Ontarians with Disabilities Act(AODA)*.
 - d) Alert - re Your Input Needed on the Newspaper Stewards Special In-kind Blue Box Contribution.
 - e) Alert - re Federal Gas Tax Allocation Announcement.
 - f) For Your Information - re AMO Responds to Dog Breed Ban Legislation.

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

2. Ministry of Municipal Affairs and Housing - re News Release entitled "\$324,000 Allocated for Affordable Housing in Simcoe County". File: A16-MMAH

Recommendation: Receive as informational.
Copy to Housing Committee.

3. Ministry of Municipal Affairs and Housing - re News Release entitled "\$891,000 Allocated for Affordable Housing in Simcoe County". File: A16-MMAH

Recommendation: Receive as informational.
Copy to Housing Committee.

4. Ministry of Municipal Affairs and Housing - re News Release entitled "Greenbelt Protection Moves Forward". File: A16-MMAH

Recommendation: Receive as informational.
Copy to Planning and Development Department.
5. Ministry of Municipal Affairs and Housing - re News Release entitled "Ontario Government Builds Better Relationship with Municipalities". File: A16-MMAH

Recommendation: Receive as informational.
6. Ministry of Finance - re News Release entitled "Minister of Finance to Address Concerns of Equestrian Facility Owners". File: A16-MOF

Recommendation: Receive as informational.
7. Infrastructure Canada - re News Release entitled "Government on Track to Deliver New Deal for Cities and Communities". File: A16-FG

Recommendation: Receive as informational.
8. Minister of Fisheries and Oceans - re ownership of harbour basins. File: C10-GEN

Recommendation: Receive as informational.
Copy to Government Relations Committee.
9. Jerry J. Ouellette, M.P.P. - re proposed legislation regarding the conservation of wolves in Ontario. File: L11-GEN

Recommendation: Receive as informational.
10. Federation of Canadian Municipalities - re "A New Deal for Cities and Communities". File: A16-FCM

Recommendation: Receive as informational.
11. Simcoe County District Health Unit - re Board of Health 2005 Funding Notice. File: S08-SCHU

Recommendation: Receive as informational.
Copy to 2005 Budget Committee.
12. Ontario Good Roads Association - re Highlights from the OGRA Board of Directors' Meeting: November 26, 2004. File: A01-GEN

Recommendation: Receive as informational.
13. Ontario Good Roads Association - re Highlights from the OGRA Board of Directors' Meeting: January 28, 2005. File: A01-GEN

Recommendation: Receive as informational.
14. City of Barrie - re News Release entitled "City of Barrie Implements Enhanced P.O.A. Fine Collection Program". File: P01-GEN

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

15. Orillia District Chamber of Commerce - re invitation to attend the Annual Business Achievement Awards, February 24, 2005. File: M02-GEN
Recommendation: Receive as informational.
Copy to Mayor's Office.
16. Friends of the Orillia Public Library - re proposed new library. File: C12-LIB
Recommendation: Receive as informational.
17. Communities in Bloom - re invitation to participate in the 2005 competition.
File: M02-BLOM
Recommendation: Receive as informational.
18. Muskoka & District Chefs' Association - re invitation to attend the Spring Gala 2005, March 5, 2005. File: M02-GEN
Recommendation: Receive as informational.
19. Don Merkley - re taxi license denials. File: C12-PSB
Recommendation: Receive as informational.
Copy to Orillia Police Services Board.
20. Terry Knight - re request for removal of a one-foot reserve, 141 Westmount Drive North. File: C01-2005-
Recommendation: Refer to Council Committee.
Request report from the Planning and Development Department.
21. Roger White - re parking in the downtown area with long vehicles. File: T02-GEN
Recommendation: Refer to Council Committee.
Request report from the Real Estate Department in consultation with the Parking Advisory Committee.
22. Couchiching Point Canal Committee - re application for a work permit for the Couchiching Point canal. File:
Recommendation: Refer to Council Committee.
Request report from the Public Works Department.
Request report from the Environmental Advisory Committee in conjunction with the previous referral.
23. Orillia Canada Day Inc. - re requesting financial assistance. File: C12-GNT
Recommendation: Refer to Grants Committee.
24. Senior Awareness Orillia - re requesting financial assistance. File: C12-GNT
Recommendation: Refer to Grants Committee.
25. Orillia & District Big Brothers Association - re requesting financial assistance.
File: C12-GNT
Recommendation: Refer to Grants Committee.

26. Recreation Advisory Committee - re resignation of Neil Jason Roe from the Committee. File: C01-2005-

Recommendation: That the following resolution be passed:

"THAT the resignation of Neil Jason Roe, as a member of the Recreation Advisory Committee is hereby accepted with regrets, and the Clerk be instructed to thank Mr. Roe for his valuable contribution to the municipality while serving as a member of the Committee;

AND THAT the matter of a replacement be referred to the Committee of the Whole Council for consideration and recommendation."

27. Director of Real Estate - re disposal of City-owned land - Cowan Street. File: C01-2005-

Recommendation: That the following resolution be passed:

"THAT a portion of the City owned land known as Cowen Street, also known as Cowan Street, and adjacent lands described as "Firstly" and "Secondly" below, be declared surplus to the needs of the municipality:

Firstly: Part of Cowen Street, also known as Cowan Street, Registered Plan 8, City of Orillia, County of Simcoe, designated as Part 3, Plan 51R-33242, closed by By-law 478, registered as Instrument No. OR122904, being Part of PIN 58663-0028(LT).

Secondly: Part of Lot 25, North Side of Jarvis Street, Registered Plan 8, City of Orillia, County of Simcoe, designated as Part 1, Plan 51R-33242, being Part of PIN 58663-0027(LT); and

Part of Cowen Street, also known as Cowan Street, Registered Plan 8, City of Orillia, County of Simcoe, designated as Part 2, Plan 51R-33242, closed by By-law 478, registered as Instrument No. OR122904, being Part of PIN 58663-0027(LT); and

Part of Cowen Street, also known as Cowan Street, Registered Plan 8, City of Orillia, County of Simcoe, designated as Part 6, Plan 51R-33242, closed by By-law 478, registered as Instrument No. OR122904, being Part of PIN 58663-0028(LT); and

Part of Cowen Street, also known as Cowan Street, Registered Plan 8, City of Orillia, County of Simcoe, designated as Part 4, Plan 51R-33242, closed by By-law 478, registered as Instrument No. OR122904, being Part of PIN 58663-0028(LT)."

2005-46 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 February 14, 2005, with the exception of the recommendations with respect to Correspondence Item 12., 13., 15., 23. and 24., which shall be introduced separately. Carried.

2005-47 Moved by Downey, seconded by Garland, that the recommendation with respect to Correspondence Items 12. and 13. on the Consent Agenda for the regular meeting of Council on February 14, 2005, be adopted. Carried.

2005-48 Moved by Gardy, seconded by Cipolla, that the recommendation with respect to Correspondence Items 15., 23. and 24. on the Consent Agenda for the regular meeting of Council on February 14, 2005, be adopted. Carried.

By-laws

2005-49 Moved by Downey, seconded by Garland, that the following by-laws be now introduced and read a first, second and third time today:

- 2005-18 A By-law to authorize the acquisition of easements for sanitary sewer services (Royal Canadian Legion and P. Schachter Sons Limited).
- 2005-19 A By-law to authorize the execution of Contract RWS-02-33 with Elirpa Construction & Materials LTD. - Reconstruction of West Street.
- 2005-20 A By-law to authorize the execution of Contract RWS-04-38 with Corm Construction Sewer & Watermain LTD. - Reconstruction of East Street.
- 2005-21 A By-law to authorize the execution of Contract W-04-41 with AVERTEX Utility Solutions Inc. - Watermain Replacement - John Street.
- 2005-22 A By-law for the purpose of appointing members to certain Boards and Committees.
- 2005-23 A By-law to authorize the Transfer of Building Permit 2004-4469 - 183 Cedar Island Road.
- 2005-24 A By-law to authorize the execution of an Agreement with Totten Sims Hubicki Associates (1997) Limited - Reconstruction of West Street.
- 2005-25 A By-law to authorize the execution of Settlement Documents with respect to Contract WS-01-56.
- 2005-26 A By-law to authorize the execution of an Agreement between the City of Orillia and the International Brotherhood of Electrical Workers - Local 636 - Public Works Employees.

2005-50 Moved by Morano, seconded by Smith, that By-law Number 2005-27, a by-law to confirm the proceedings of Council at its meeting held on February 14, 2005, 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 - 9:05 P.M.

MAYOR

CLERK

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Committee of the Whole Council
DATE: February 8, 2005
SUBJECT: Report Number 2005-2 (From meeting of February 7, 2005)

Your Committee is pleased to report as follows:

1. THAT as recommended in a report dated January 31, 2005 from the City Manager, the Memorandum of Settlement negotiated with IBEW Local 636 (Public Works Employees) for a new four-year collective agreement expiring September 30, 2008, be approved.

2. THAT the following be re-appointed a member of the Environmental Advisory Committee for a term expiring November 30, 2005:

Ted Byers

3. THAT the following be appointed a member of the Environmental Advisory Committee for a term expiring November 30, 2006:

William Madill

4. THAT the following be appointed a member of the Environmental Advisory Committee, to replace Roger Czerneda who has resigned, for a term expiring November 30, 2005:

Dr. James Tazzeo

5. THAT the following be appointed a member of the Waste Management Advisory Council, to replace Peggy Foley, for a term expiring November 30, 2006:

Dale Johnstone

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

William Madill
William J. Hutchinson

7. THAT the following be appointed a member of the Orillia Wheelchair Limousine Service Eligibility Committee (OWLS), to replace Sandra Beatie, for a term expiring November 30, 2006:

Darryl Taylor

C. Garland,
Chair.

CITY OF ORILLIA

TO: The Mayor and Members of Council
FROM: Council Committee
DATE: February 8, 2005
SUBJECT: **Report Number 2005-3 (From meeting of February 7, 2005)**

Your Committee is pleased to report and recommend as follows:

1. THAT as recommended in a report dated February 2, 2005 from the Chief Building Official, Council approve the request to transfer Building Permit 2004-4469 for 183 Cedar Island Road, from the present owner to Garry Sawatzky, subject to an additional review fee of \$960 being paid to the City of Orillia and a complete set of new house plans being submitted to the Chief Building Official;

AND THAT a by-law to amend Chapter 830 of the City of Orillia Municipal Code be prepared to provide for this site specific exemption.

2. THAT the report dated January 31, 2005 from the Public Works Department regarding winter maintenance of the West Street bridge, be received as informational.

3. THAT the report dated February 1, 2005 from the City Treasurer regarding Council computerization, be referred to the 2005 Budget Committee meetings.

4. THAT as recommended in a report dated January 24, 2005 from the Public Works Department, the City settle the outstanding issues with respect to Contract WS-01-56 as outlined in the report;

AND THAT the Mayor and Clerk be authorized to execute all documents to effect this settlement.

5. THAT as recommended in a report dated January 24, 2005 from the Public Works Department, the City accept easements from P. Schachter & Sons Ltd. and the Royal Canadian Legion Branch 34, for a sewer connection to 211 Mississaga Street East in connection with Contract SAN-04-32, CN Trunk Relocation, Mississaga Street East to Colborne Street East;

AND THAT the Mayor and Clerk be authorized to execute all related documents.

6. THAT as recommended in a report dated January 26, 2005 from the Public Works Department, Elirpa Construction & Materials Ltd., be awarded Contract RWS-02-33 for the reconstruction of West Street from 70m south of James Street to 65m north of Cochrane Street, for the tendered sum of \$1,491,218.98 plus G.S.T., with actual payment made for work done under contract unit prices;
AND THAT Elirpa Construction & Materials Ltd. be exempt from Chapter 938 of the City of Orillia Municipal Code - Noise, with respect to watermain work and with respect to dewatering in Contract RWS-02-33 during the duration of the contract;
AND THAT Totten Sims Hubicki Associates be authorized to proceed with construction inspection and administration services for the project;
AND THAT the funds required be considered a pre-approval from the 2005 budget.

7. THAT as recommended in a report dated February 1, 2005 from the Public Works Department, Corm Construction Sewer & Watermain Ltd. be awarded Contract RWS-04-38 for the reconstruction of East Street from James Street to Atherley Road for the tendered sum of \$492,708.80 plus G.S.T., with actual payment made for work done under contract unit prices;
AND THAT Corm Construction Sewer & Watermain Ltd. be exempt from Chapter 938 of the City of Orillia Municipal Code - Noise, with respect to dewatering on East Street during the duration of the contract;
AND THAT road closures be permitted on East Street from James Street to Atherley Road when watermain or sewer work is being done;
AND THAT the funds required be considered a pre-approval from the 2005 budget.

8. THAT as recommended in a report dated February 1, 2005 from the Public Works Department, AVERTEX Utility Solutions Inc. be awarded Contract W-04-41 for the watermain replacement on John Street from Westmount Drive to O'Brien Street, for the tendered sum of \$532,230 plus G.S.T. with actual payment made for work done under contract unit prices;
AND THAT AVERTEX Utility Solutions Inc. be exempt from Chapter 938 of the City of Orillia Municipal Code - Noise, with respect to watermain work and with respect to dewatering in Contract W-04-41 during the duration of the contract;
AND THAT the funds required be considered a pre-approval from the 2005 budget.

9. THAT as recommended in a report dated January 27, 2005 from the City Manager, the existing Policy 1.2.1.7. with respect to Liaison Councillors be replaced with the policy attached to the report.

10. THAT planning for the City Centre block and the City-owned building proceed on the assumption that it will continue to house the City administration and Council Chamber for the foreseeable future.

11. THAT the Ad Hoc City Centre Area Building Committee expand its focus to include advocacy for improvements to the City-owned building.

12. THAT the use of the existing City Centre Reserve be restricted to block improvements;
AND THAT a separate reserve be established, when financially feasible, to assist in funding improvements to the City-owned building.

C. Garland,
Chair.