



**COMMITTEE OF THE WHOLE MINUTES
CITY OF PETERBOROUGH
JUNE 28, 2010
DRAFT MINUTES NOT APPROVED**

**MINUTES OF A MEETING OF COMMITTEE OF THE WHOLE HELD ON
JUNE 28, 2010 IN THE GENERAL COMMITTEE ROOM, CITY HALL**

The meeting of Committee of the Whole was called to order at 5:30 p.m. in the General Committee Room.

Roll Call:

Councillor Clarke
Councillor Doris
Councillor Eggleton
Councillor Farquharson
Councillor Hall, Chair
Councillor Martin
Councillor Pappas
Councillor Peacock
Councillor Peeters
Councillor Vass
Mayor Ayotte

Moved by Councillor Clarke

That Committee move into closed session to discuss one item under Section 239(2)(c) A Proposed Or Pending Acquisition Or Disposition Of Land By The Municipality Or Local Board and two items under Section 239(2)(a) The Security Of The Property Of The Municipality Or Local Board.

"CARRIED"

Moved by Councillor Pappas

That Committee move out of closed session at 6:30 p.m.

"CARRIED"

Committee reconvened in open session at 6:40 p.m.

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Minutes – June 7, 2010 and June 14, 2010

Moved by Councillor Farquharson

That the minutes of the Committee of the Whole meetings held June 7, 2010 and June 14, 2010 be approved.

"CARRIED"

Disclosure of Pecuniary Interest

There were no disclosures of interest.

**Report of Closed Session
Manager, Planning Division
Report PLPD10-046
O'Grady Subdivision – Lily Lake Road and Fairbairn Street**

Moved by Councillor Farquharson

That Council approve the recommendation outlined in Report PLPD10-046 dated June 28, 2010 of the Manager, Planning Division, as follows:

That the City proceed with the acquisition of the lands reserved for road allowance within the former O'Grady Subdivision, Concession 1, Part Lot 12 (south of Lily Lake Road and west of Fairbairn Street), from the Province of Ontario, Office of the Public Guardian and Trustee at a cost of \$910.50.

"CARRIED"

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**Report of Closed Session
City Solicitor and Director of Legal Services
Report OCS10-010
Peterborough Utilities Inc. - General Security Agreement**

Moved by Councillor Clarke

That Council approve the recommendations outlined in Report OCS10-010 dated June 28, 2010, of the City Solicitor and Director of Legal Services, as follows:

- a) That the Mayor and Clerk be authorized to execute such documentation as may be necessary to release the City's security interest in shares acquired by Peterborough Utilities Inc. from Shaman Development Corporation, of Trent Rapids Power Corp; and**
- b) That Committee of the Whole direct the City Solicitor to notify the solicitor for Peterborough Utilities Inc. of their acceptance of the recommendation, to be confirmed by Council on July 5, 2010.**

"CARRIED"

Consent Agenda

Moved by Councillor Peacock

That Items 5, 6, 9, 13, 16, 17, 18, 20, 21, 22, 23, 24, 25 and 28 be approved as part of the Consent Agenda.

"CARRIED"

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Director of Utility Services

Report USEC10-017

**Meade Creek Detailed Flood Reduction Study Approval to Post
Project File**

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report USEC10-017 dated June 28, 2010 of the Director of Utility Services as follows:

That staff finalize the Meade Creek Detailed Flood Reduction Study, file a Notice of Completion, and post the Project File for the mandatory 30-day public review period in accordance with the Schedule "B" provisions of the Municipal Class Environmental Assessment.

"CARRIED"

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**Director of Utility Services Report
USPW10-012**

Cooperative Tenders T-280-2010 and T-279-2010 for the Supply and Delivery of Sodium Chloride

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report USPW10-012 dated June 28, 2010, of the Director of Utility Services, as follows:

- a) That staff participate with the Regional Municipality of Durham and other municipalities in accepting Tender T-280-2010, for the Supply of Sodium Chloride that was awarded by the Regional Municipality of Durham to Canadian Salt (CP11321 – Succ-Centre, Montreal, QC H3C 5H1) for the winter seasons of 2010/2011, 2011/2012, 2012/2013 with an option at the City's sole discretion for an additional 2 winter seasons on a unit cost per tonne as follows:

Year 1 Unit cost per tonne \$	Year 2 Unit cost per tonne \$	Year 3 Unit cost per tonne \$	Total 3 Year Tender Price \$	Optional Year 4 Unit cost per tonne \$	Optional Year 5 Unit cost per tonne \$
70.74	72.79	74.89	1,528,940.00	77.34	79.69

- b) That staff participate with the Regional Municipality of Durham and other municipalities in accepting Tender T-279-2010, for the Delivery of Sodium Chloride that was awarded by the Regional Municipality of Durham to Glenn Windrem Trucking (2411 Whittington Drive, Peterborough, Ontario K9J 6X4) for the winter seasons of 2010/2011, 2011/2012, 2012/2013 with an option at the City's sole discretion for an additional 2 winter seasons on a unit cost per tonne as follows:

Delivery unit cost per tonne \$	Estimated Cost per Annum at 7000 tonnes
\$5.37	\$37,590

“CARRIED”

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**Director of Utility Services
Report USTR10-008
Crescent Street at Lock Street – Intersection Design**

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report USTR10-008 dated June 28, 2010, from the Director of Utility Services, as follows:

That additional ‘Do Not Enter’ signs, a ‘Stop’ sign and pavement markings be installed at the intersection of Crescent Street at Lock Street as depicted in Appendix C of Report USTR10-008.

“CARRIED”

**Director of Utility Services
Report USEP10-006
Establishment of Budget and Authorization to Award for the Coal Tar Seepage Remediation - Simcoe Street Court House**

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report USEP10-006 dated June 28, 2010, of the Director of Utility Services, as follows:

- a) That a 2010 Operating Budget in the amount of \$500,000, from the Insurance Reserve, be created to allow issuance of an Request For Proposals to undertake the “Scope of Work” detailed in Appendix A (City of Peterborough, Action Plan, Coal Tar Remediation, May 2010) of Report USEP10-006; and**
- b) That authorization to award the Request for Proposals referenced in Recommendation a) be given to the Administrative Staff Committee.**

“CARRIED”

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**Director of Community Services
Report CSACH10-006
Recommendation to Designate a Heritage Property**

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSACH10-006 dated June 28, 2010, of the Director of Community Services, as follows:

- a) That the recommendation of the Peterborough Architectural Conservation Advisory Committee (PACAC) to designate the property at 500 George Street North as a heritage property under Part IV, section 29 of the Ontario Heritage Act (R.S.O. 1990, c.O.18) being of “cultural heritage value or interest”, be approved;**
- b) That Council’s intention to designate be advertised in a newspaper having general circulation in the municipality as per the Ontario Heritage Act (R.S.O. 1990, c.O.18, s. 31 (3); and,**
- c) That the owner of the property to be designated, and the Ontario Heritage Trust, be served with a notice of intention to designate as per the Ontario Heritage Act R.S.O. 1990, c. O.18, s.29 (3).**

“CARRIED”

**Director of Community Services
Report CSAD10-002
Award of RFP P-24-10 Parking Control Services for the City of Peterborough at the Morrow Parking Lot**

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSAD10-002 dated June 28, 2010, of the Director of Community Services, as follows:

- a) That Request for Proposals Document P-24-10, for the Parking Control Services for the City of Peterborough at the Morrow Parking Lot be awarded to Securitas Canada Limited, 349 George Street North, Suite 206, Peterborough, Ontario, K9H 3P9, at a cost of \$41,175 and HST of \$5,352.75**

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for a total cost of \$46,527.75 per year, increased by the Average Annual Provincial Consumer Price Index for years 2 through 5, for a period of five years starting September 1, 2010 until August 31, 2015.

- b) That, pending satisfactory performance, staff be authorized to extend the agreement for an additional one-year term.
- c) That a by-law be prepared authorizing the Mayor and the Clerk to sign the agreement.

“CARRIED”

**Director of Community Services
Report CSSS10-006**

Award of RFP P-20-10 Site Security Services, Social Services Division

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSSS10-006 dated June 28, 2010, of the Director of Community Services, as follows:

- a) That Request for Proposal Document P-20-10 for the supply of security personnel for the Social Services Division be awarded to Securitas Canada of 349A George Street, Peterborough at an approximate cost of \$102,960 for a three-year period from August 1, 2010 to July 31, 2013, with an option, at the city's sole discretion, that the contract be extended for one year on the same terms and conditions.
- b) That a by-law be enacted to authorize the Mayor and Clerk to sign the agreement.

“CARRIED”

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Director of Community Services

Report CSACH10-013

Award of RFP P-26-10 Consulting Services to Develop a Municipal Cultural Plan

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSACH10-013 dated June 28, 2010 of the Director of Community Services, as follows:

- a) That Request for Proposals Document P-26-10 for consulting services to develop a municipal cultural plan be awarded to Office for Urbanism, 457 Richmond Street West, Suite 200, Toronto, Ontario, M5V 1X9, at a cost of \$89,604 and HST of \$11,648.52 for a total cost of \$101,252.52 before rebate.**
- b) That a by-law be enacted to authorize the Mayor and Clerk to sign the agreement.**

"CARRIED"

Director of Community Services

Report CSACH10-014

Lieutenant Governor's Ontario Heritage Award Nomination

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CSACH10-014 dated June 28, 2010, of the Director of Community Services, as follows:

That a nomination for the Lieutenant Governor's Ontario Heritage Award for Community Leadership be submitted.

"CARRIED"

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Senior Director of Corporate Services

Report CPFPRS10-019

Peterborough Airport ISF Major Infrastructure and Airport Development Projects Status Update

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CPFPRS10-019, dated June 28, 2010, of the Senior Director of Corporate Services as follows:

That Report CPFPRS10-019 providing a status update on the Peterborough Airport ISF Major Infrastructure and Airport Development Capital Projects be received.

“CARRIED”

Senior Director of Corporate Services

Report CPITS10-002

Purchase of Microsoft Licenses

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CPITS10-002 dated June 28, 2010 of the Senior Director of Corporate Services, as follows:

That the following Microsoft Office 2010 Licenses be purchased from Dell Canada Inc., 155 Gordon Baker Road, North York Ontario, M2H 3N at prices obtained by the Provincial Ministry of Government Services through their competitive process.

- i) 565 Microsoft Office 2010 Standard Licenses at a total cost of \$148,013.06 plus HST of \$19,241.69 for a total cost of \$167,254.75.**
- ii) 50 Microsoft Office 2010 Standard Academic Licenses at a total cost of \$3,409.00 plus HST of \$443.17 for a total cost of \$3,852.17.**
- iii) 25 Microsoft Word 2010 licenses at a total cost of \$3,735.25 plus HST of \$485.58 for a total cost of \$4,220.83.**

“CARRIED”

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**Senior Director of Corporate Services
Report CPCLK10-013**

Municipal Act, 2001 Section 275 Restrictions and Two Additional Meetings to the 2010 Schedule of Council and Committee Meetings

Moved by Councillor Peacock

That Council approve the recommendation outlined in report CPCLK10-013, dated June 28, 2010, of the Senior Director of Corporate Services, as follows:

That a Committee of the Whole meeting be held on August 30, 2010, prior to the already-scheduled Planning Committee meeting, and a City Council meeting be held on September 7, 2010, prior to the already-scheduled September 7, 2010 Committee of the Whole meeting.

“CARRIED”

**Senior Director of Corporate Services
Report CPFPRS10-018**

**Development Charge Reserve Funds
2009 Annual Report - City And PUC**

Moved by Councillor Peacock

That Council approve the recommendations outlined in report CPFPRS10-018 dated June 28, 2010 of the Senior Director of Corporate Services as follows:

- a) That the Development Charge Reserve Funds – 2009 Annual Report for the City of Peterborough, as presented in Report CPFPRS10-018, be received.**
- b) That the Development Charge Reserve Funds – 2009 Annual Report for the Peterborough Utility Commission for the year ended December 31, 2009, appended to Report CPFPRS10-018 as Appendix A, be received.**

“CARRIED”

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**CORRESP10-024
City of Kingston
Payments in Lieu of Taxes**

Moved by Councillor Peacock

That the correspondence from the City of Kingston urging the government of the Province of Ontario to follow the decision of the Federal Government and its Crown Corporations to pay for the services municipalities provide in the same way private owners pay with respect to all properties for which it makes payments in lieu of taxes, including heads and beds be received for information.

“CARRIED”

**Director of Utility Services
Report USTR10-010
Interdepartmental Trails Committee Update**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report USTR10-010 dated June 28, 2010, of the Director of Utility Services, as follows:

That Council receive this report for information.

“CARRIED”

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Director of Utility Services

USDIR10-006

Establishment of Budget and Rehabilitation of the Peterborough Industrial Park Rail Spur

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report USDIR10-006 dated June 28, 2010, of the Director of Utility Services, as follows:

- a) That a 2010 Capital Budget be established in the amount of \$375,000 for the rehabilitation of the rail spur line that services Peterborough Industrial Park with funding for this project to come from Capital Budget Item 5-3.01 Various Road Resurfacing; and**
- b) That authorization to award a tender for the rehabilitation of the rail spur line that services Peterborough Industrial Park be given to the Administrative Staff Committee.**

"CARRIED"

Director of Utility Services

Report - USEC10-018

Jackson Creek Erosion Repair Works & Retention of ORCA to Administer the Works

Moved by Councillor Farquharson

That Council approve the recommendations outlined in Report USEC10-018 dated June 28, 2010 of the Director of Utility Services as follows:

- a) That the erosion repair works for Jackson Creek as detailed in Report USED10-018 be undertaken at an estimated cost of \$263,500 plus \$34,255 HST for a total cost of \$297,755 funding for which will come from the Jackson Creek Erosion Repair Works Capital Account; and**
- b) That staff be authorized to engage the Otonabee Region Conservation Authority to undertake the administration of this project.**

"CARRIED"

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**Director of Utility Services
Report USDIR10-007
Establishment of Budget and Boulevard Treatment for Gilchrist
Street at McDonnel Street**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report USDIR10-007 dated June 28, 2010, of the Director of Utility Services, as follow:

That a 2010 Capital Budget be established in the amount of \$30,000 for boulevard treatment on the east side of Gilchrist Street at McDonnel Street with funding for this project to come from the Capital Levy Reserve.

Moved by Councillor Farquharson

That the boulevard treatment be applied to Gilchrist Street from McDonnel Street and extend one property north to London Street.

Moved by Councillor Doris

That the Question be Put.

“CARRIED”

Upon the motion to amend by Councillor Farquharson, the motion lost.

Moved by Councillor Pappas

That a 2010 Capital Budget of \$20,000 be established to apply a boulevard treatment on the east side of Gilchrist Street, from McDonnel to one property to the north.

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Moved by Mayor Ayotte

That the Question be Put.

“LOST”

Councillor Peacock left the meeting at 8:17 p.m. and returned at 8:18 p.m.

Upon the main motion as amended by Councillor Pappas, the motion carried.

Director of Utility Services

Report USEC10-008

**Parkhill Road West – Wallis Drive to west City Limit Class
Environmental Assessment**

**Sherbrooke Street West – Glenforest Boulevard to west City Limit
Class Environmental Assessment**

Project Updates and Budget Adjustments

Moved by Councillor Clarke

That Council approve the recommendations outlined in Report USEC10-008 dated June 28, 2010 of the Director of Utility Services, as follows:

- a) That the 2006 Capital budget for the Parkhill Road West Class EA, (Item 5-2.02) be increased by \$80,000 plus HST of \$11,700 for a total increase of \$91,700 from \$200,000 to \$291,700; and;**
- b) That the 2006 budget for the Sherbrooke Street West Class EA, (Item 5-2.06) be increased by \$80,000 plus HST of \$16,380 for a total increase of \$96,380 from \$200,000 to \$296,380.**

Mayor Ayotte left the meeting at 8:26 p.m. and returned at 8:30 p.m.

Councillor Hall the left the meeting at 9:36 p.m. and retuned at 9:37 p.m.

“CARRIED”

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**City Solicitor and Director of Legal Services
Report OCS10-009
Peterborough Humane Society Update**

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report OCS10-009 dated June 28, 2010, of the City Solicitor and Director of Legal Services, as follows:

- a) That the agreement between the City and the Peterborough Humane Society be renewed on an eight-month basis upon the same terms and conditions; and**
- b) That Report OCS10-009 with respect to the Peterborough Humane Society, be received for information.**

Councillor Farquharson left the meeting at 8:30 p.m. and returned at 8:37 p.m.

“CARRIED”

**Senior Director of Corporate Services
Report CPFPRS10-020
Purchasing Policy By-Law Update**

Moved by Councillor Farquharson

That report CPFPRS10-020 be deferred one cycle of Committee of Whole.

“LOST”

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Moved by Councillor Peacock

That Council approve the recommendations outlined in report CPFPRS10-020 dated June 28, 2010 of the Senior Director of Corporate Services as follows:

- a) That the Purchasing Policy By-Law 06-175 be repealed.**
- b) That the new Purchasing Policy By-law appended to report CPFPRS010-020 as Appendix A be approved and take effect July 6, 2010.**

Councillor Martin left the meeting at 9:28 p.m. and returned at 9:30 p.m.

Councillor Peeters left the meeting at 9:35 p.m.

Moved by Councillor Peacock

That the rules of order be suspended (Article 16.15.2) to extend the hour of adjournment past 10:00 p.m. to complete the agenda.

“CARRIED”

Councillor Farquharson asked staff to provide the number of past tenders, as summarized in Appendix C, Bid Solicitations Issued under Purchasing By-law 06-175, that would have been approved by the Administrative Staff Committee compared to Council under the new Purchasing By-law criterion and to provide a paper copy of the existing Purchasing By-law to Committee members.

Moved by Councillor Farquharson

That By-law reference, Part 6 Section 18(3)(v) be amended as follows:

That the wording “The Chief Administrative Officer, in consultation with the Department Director” be replaced with “City Council”.

Moved by Councillor Doris

That the Question be Put.

“LOST”

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Moved by Councillor Clarke

That the Question be Put.

“CARRIED”

Upon the amending motion by Councillor Farquharson, the motion carried.

Councillor Peacock left the meeting at 10:27 p.m. and returned at 10:28 p.m.

Upon the main motion by Councillor Peacock, as amended, the motion carried.

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**Directory of Community Services
Report CSSS10-003A
Community Drop-In Centre Update from Report CSSS10-003**

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSSS10-003A dated June 28, 2010, of the Director of Community Services, as follows:

- a) That the \$100,000 of 100% municipal funds to operate a Community Drop-In Centre for low-income citizens for the period October 1, 2010 to September 30, 2011, be approved.**
- b) That Council adopt either one of b) (1) or b) (2):**
 - (1) That a by-law be enacted to authorize the Mayor and Clerk to sign a Service Agreement with Our Space for the management and operation of the Community Drop-In Centre from October 1, 2010 to September 30, 2011; and that Council be granted the authority to approve a one-year extension, conditional on satisfactory performance.**

Or

- (2) In the event that Our Space is unable to secure and relocate to a suitable location by September 30, 2010, that the current funding program be suspended; that Our Space be directed to vacate the Orange Hall property by September 30th, 2010; and that the service contract with Our Space not be renewed until such time as an appropriate location is secured.**
- c) In the event that any changes occur with the Community Drop-In Centre, that the Administrative Staff Committee be delegated the authority to make decisions regarding location and operation of the Community Drop-In Centre in the absence of Council process.**

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Moved by Councillor Farquharson

That the recommendations be amended as follows:

That the wording in recommendation a) "\$100,000" be replaced with "\$50,000".

That the wording in recommendation b) (1) "September 30, 2011" be replaced with "March 31, 2011".

The Chair ruled the amending motion of out of order as it is contrary to the main motion.

Chair Hall requested staff provide the number of visits made to Our Space per day.

Councillor Peacock amended recommendation b) (1) by replacing the word "staff" with "Council".

Upon the main motion of Councillor Peacock as amended, the motion carried.

Councillor Farquharson left the meeting at 11:27 p.m.

**CORRESP10-022
City of Thorold
Proposed Amendments to Leaded Gasoline Regulations**

Moved by Councillor Vass

That the correspondence from the City of Thorold expressing its support of the local racing industry with its support of the Federal Government's proposed amendments to leaded fuel regulations be endorsed and that staff issue letters of support to representatives of the provincial and federal governments.

"CARRIED"

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CORRESP10-023

City of Kingston

Declaration of Parallel Transit As Essential Services

Moved by Councillor Vass

That the correspondence from the City of Kingston requesting the Provincial Government declare all parallel transit an essential service and that larger municipalities make the same request of the province be endorsed and that staff issue letters of support to Premier Dalton McGuinty and the Minister of Transportation.

"CARRIED"

Councillor Vass asked staff to distribute to Council the letter entitled Municipal Transit as an Essential Service, provided by Janet Ali, Chair Accessible Transportation Advisory Committee.

CORRESP10-025

Town of New Tecumseth

Harmonized Goods and Service Tax

Moved by Councillor Vass

That the correspondence from the Town of New Techumseth requesting the Province of Ontario exempt children's recreation programs from the HST so as Ontario families can afford to participate in athletic and recreation programs in their communities be endorsed.

"CARRIED"

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**CORRESP10-026
Ontario Good Roads Association
MMS Litigation Fund**

Moved by Mayor Ayotte

That the correspondence from the Ontario Good Roads Association requesting municipalities contribute to the Minimum Maintenance Standard (MMS) Litigation Fund and that the City of Peterborough support this through 2010 funds from the insurance reserve.

"CARRIED"

Other Business

Moved by Mayor Ayotte

That Committee of Whole and Council endorse the Mayor's letter to Premier Dalton McGuinty in regards to the construction timetable of highway 407 to highway 115.

"CARRIED"

Adjournment

Moved by Councillor Martin

That this meeting of Committee of the Whole adjourn at 11:38 p.m.

"CARRIED"

John Kennedy
Deputy City Clerk

Councillor Hall
Chair