



**COMMITTEE OF THE WHOLE MINUTES
CITY OF PETERBOROUGH
SEPTEMBER 8, 2009
DRAFT MINUTES NOT APPROVED**

**MINUTES OF A MEETING OF COMMITTEE OF THE WHOLE HELD ON
SEPTEMBER 8, 2009 IN THE GENERAL COMMITTEE ROOM, CITY
HALL**

The meeting of Committee of the Whole was called to order at 5:15 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)(e) Litigation Or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting The Municipality Or Local Board, one item under Section 239(2)(a) The Security Of The Property Of The Municipality Or Local Board, and one item under, Section 239(2)(b) Personal Matters About An Identifiable Individual, Including Municipal Or Local Board Employees.

"CARRIED"

Moved by Councillor Eggleton

That Committee move out of closed session at 7:07 p.m.

"CARRIED"

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The open session of Committee of the Whole commenced at 7:15 p.m.

Minutes – August 4, 2009 and August 10, 2009

Moved by Councillor Peacock

That the minutes of the Committee of the Whole meeting held on August 4, 2009, and August 10, 2009 be approved.

“CARRIED”

Disclosure of Pecuniary Interest

There were no disclosures of interest.

Consent Agenda

Moved by Mayor Ayotte

That Items 9, 10, 11, 12, 16, 17, 18, 19, 23 be received as part of the consent agenda.

“CARRIED”

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Director of Community Services

Report CSRS09-009

**Senior Citizens Association Of Peterborough – Maple Ridge Seniors
Recreation Centre**

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report CSRS09-009 dated September 8, 2009, of the Director of Community Services, as follows:

- a) That a by-law to authorize the granting of aid to an Elderly Persons Centre maintained and operated by the Senior Citizen's Association of Peterborough at 770 Erskine Avenue be enacted; and**
- b) That By-Law Number 97-43 be repealed.**

"CARRIED"

Director of Community Services

Report CSSS09-011

Designated Signing Authority For Social Services Contracts

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report CSSS09-011 dated September 8, 2009, of the Director of Community Services, as follows:

- a) That Council pass a by-law authorizing the Mayor and City Clerk to sign all Social Service legal text contracts between the City and the Provincial Government.**
- b) That the administrative processes related to the completion of the Social Services Division annual service contracts and budget schedules are delegated to:**
 - i) Any two of the following: CAO, Treasurer, Clerk, Director of Community Services, and Ontario Works Administrator; or**
 - ii) One of the following: the Clerk or Treasurer, with the corporate seal.**

"CARRIED"

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**Director of Community Services
Report CSD09-021
Peterborough Green-up Service Grant**

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report CSD09-021, dated September 8, 2009, of the Director of Community Services, as follows:

- a) That the annual Community Service Grant to Peterborough Green-up be increased by \$44,100 from \$112,200 to \$156,300 for 2009, with the increase funded from the City's Sewer Surcharge.**
- b) That the revised grant total of \$156,300 be recognized as the base grant for future annual funding deliberations.**

"CARRIED"

**Acting Director of Utility Services
Report USTR09-011
No Parking Restriction On Pioneer Road**

Moved by Mayor Ayotte

That Council approve the recommendation outlined in Report USTR09-011 dated September 8, 2009, of the Director of Utility Services:

That parking be prohibited at anytime on both sides of Pioneer Road from Nassau Mills Road to the east City limit.

"CARRIED"

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Acting Director of Utility Services

Report USWM09-004

**Award of T-36-09 North Fill Area Construction of Utilities
Peterborough County/City Waste Management Facility**

Moved by Mayor Ayotte

That Council approve the recommendation outlined in Report USWM09-004 dated September 8, 2009 of the Director of Utility Services as follows:

That Tender T-36-09, for the Construction of Utilities within the North Fill Area of the Peterborough County/City Waste Management Facility be awarded to Behan Construction Limited, Box 596 Cobourg, ON K9A 4L3 at a cost of \$1,494,747 (PST not applicable) plus \$74,737 GST for a total cost of \$1,569,484.

“CARRIED”

Acting Director of Utility Services

Report USWM09-007

**Award Contract Extension of RFP P-39-08 for the Loading,
Transportation and Recycling/Disposal of Municipal Hazardous and
Special Waste**

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report USWM09-007 dated September 8, 2009 of the Director of Utility Services, as follows:

- a) That a contract extension, from November 1, 2009 to January 31, 2010, for RFP P-39-08 for the Loading, Transportation and Recycling/Disposal of Municipal Hazardous and Special Waste be awarded to Clean Harbors Canada Inc., 1831 Allanport Road, Thorold, Ontario L2V 3Y9 per unit costs as shown in Appendix 1, for the contract extension period of November 1, 2009 to January 31, 2010; and
- b) That a by-law be prepared authorizing the Mayor and Clerk to sign the contract extension Agreement.

“CARRIED”

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Senior Director of Corporate Services

Report CPFPRS09-029

Additional \$1.4 Million OSTAR Funding to be received for WWTP Upgrade

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report CPFPRS09-029 dated September 8, 2009 of the Senior Director of Corporate Services, as follows:

- a) That a by-law be passed, authorizing the Mayor and Clerk to sign an Addendum to the Capital Funding Agreement under Round 1 of the Ontario Small Town and Rural (OSTAR) Development Infrastructure Initiative between the Province of Ontario represented by the Minister of Agriculture, Food and Rural Affairs for the Province of Ontario and the Corporation of the City of Peterborough for an additional \$1,424,074 in Federal funding for the 2002–2004 upgrade to the Peterborough Waste Water Treatment Plant.**
- b) That the additional \$1,424,074 OSTAR funding replace a \$1,424,074 portion of the Sewer Surcharge Reserve Fund funding used to finance the project and be credited back to the Sewer Surcharge Reserve Fund.**

“CARRIED”

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**Senior Director of Corporate Services
Report CPFPRS09-011
Development Charge Reserve Funds
2008 Annual Report - City And PUC**

Moved by Mayor Ayotte

That Council approve the recommendations outlined in report CPFPRS09-011 dated September 8, 2009 of the Senior Director of Corporate Services as follows:

- a) That the Development Charge Reserve Funds – 2008 Annual Report for the City of Peterborough, as presented in Report CPFPRS09-011, be received.**
- b) That the Development Charge Reserve Funds – 2008 Annual Report for the Peterborough Utility Commission for the year ended December 31, 2008, appended to Report CPFPRS09-011 as Appendix A, be received.**

“CARRIED”

**Senior Director of Corporate Services
Report CPFRAS09-012
Quarterly Financial Report
As of June 30, 2009**

Moved by Councillor Peacock

That Council approve the recommendations outlined in report CPFRAS09-012 dated September 8, 2009, of the Senior Director of Corporate Services as follows:

- a) That the June 30, 2009 Quarterly Financial Report be received.**
- b) (i) That the Investment Income 2009 Budget be increased from \$1,094,000 by \$46,968 to \$1,140,968 to reflect additional investment income anticipated in 2009**
 - (ii) That the Emergency Risk Management activity reflected in the 2009 Operating Budget be increased from \$281,109 by \$46,968 to \$328,077 to correct an error to the 2009 Emergency Risk Management budget,**

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- c) That the 2009 Library Revenue Budget Form 6 be supplemented with the new items listed in Appendix C to report CPFRAS09-012, which are now in circulation.
- d) That the \$3.0M previously approved by Council in 2008 as part of Peterborough Landfill Site capital budget (reference 5-9.01) for a gas odour collection system be removed from the City's capital budget, and the \$1.5M City share of the cost be removed as a commitment from the Waste Management Reserve Fund.
- e) That the 2009 project budget (reference 7-1.05) for the Otonabee River Trail –CPR Bridge to Del Crary be increased from \$1.290M by \$0.067M to \$1.357M to account for tipping fees charged for disposal of contaminated soils encountered in the excavation and that the additional \$0.067M cost be financed by a transfer from the Capital Levy Reserve.
- f) That the \$7.4M Infrastructure Development at the Peterborough Municipal Airport Capital Project (Project 7-5.01) budget be increased by \$2.1M to \$9.5M, as described in Report CPFPRS09-008 dated April 27, 2009, and the project timing and financing be amended to show a \$2.3M expenditure in 2008; \$2.7M in 2009 and a \$4.5M expenditure in 2010 as set out in Appendix D to Report to report CPFRAS09-012.

“CARRIED”

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**Director of Planning and Development Services
Report PLHD09-008**

**“Ready-to-Go” Affordable Housing Projects – Supplementary Project
- Former Bible College, Argyle Street**

Moved by Councillor Eggleton

That Council approve the recommendations outlined in Report PLHD09-008, dated September 8, 2009, of the Director of Planning and Development Services, as follows:

- a) That the supplementary affordable rental housing project, proposed by the Peterborough Housing Corporation for the former Bible College property on Argyle Street be approved by City Council for the purpose of securing provincial funding consideration, and that any other documentation be submitted to the province as required.
- b) That this affordable rental housing project be designated as a Municipal Housing Facility pursuant to the “Taking Charge” policy on new housing development, and that the Mayor and Clerk be authorized to execute a Municipal Housing Facility Agreement and other such agreements as deemed necessary, with terms and conditions satisfactory to the City Solicitor, or designate.
- c) That this affordable rental housing project be exempt from the payment of municipal development charges pursuant to the Municipal Housing Facilities By-law 03-046.

“CARRIED”

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Director of Community Services

Report CSD09-019

Award of Request for Proposal P-33-09 for Project Management Services for Market Hall Restoration Project

Moved by Councillor Farquharson

That Council approve the recommendation outlined in Report CSD09-019 dated September 8, 2009, of the Director of Community Services, as follows:

That Request for Proposal P-33-09 for Project Management Services for the Market Hall restoration project be awarded to Independent Project Managers, 286 King Street West, Oshawa, Ontario, L1J 2Y3 at a cost of \$193,980 (PST not applicable) plus \$9,699 GST for a total cost of \$203,679.

"CARRIED"

Director of Community Services

Report CSACH09-014

Updating of Cenotaph Related By-laws

Moved by Councillor Clarke

That Council approve the recommendations outlined in Report CSACH09-014 dated September 8, 2009 of the Director of Community Services as follows:

- a) That the name of the Maintenance Advisory Committee be changed to the Cenotaph Advisory Committee to reflect its commonly understood title, current role and mandate;**
- b) That Council authorize staff to prepare a new by-law which will repeal By-laws 1981-144 and 93-115 and which will:**
 - i. formally appoint the Cenotaph Advisory Committee as the review body for applications from groups wishing to use the Cenotaph as a place of assembly;**

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- ii. stipulate that the Cenotaph Advisory Committee include a member of City Council, a member of each of the Royal Canadian Legion Branch 52, the 428 Wing Royal Canadian Air Force Association and the Peterborough Naval Association who are current or past service personnel, a citizen of the City of Peterborough and a citizen of the County of Peterborough, each chosen by their respective Councils;
 - iii. authorize the Director of Community Services to assign a staff member from the Arts Culture and Heritage Division to provide advice and support to the Cenotaph Advisory Committee; and
 - iv. reflect current municipal operations and codify the process for considering the maintenance of the Cenotaph;
- c) That the Clerk be authorized to advertise for applications from citizens of the City and County to sit on the Cenotaph Advisory Committee; and
- d) That Council solicit a recommendation from each of the Royal Canadian Legion Branch 52, the 428 Wing Royal Canadian Air Force Association and the Peterborough Naval Association for one member of each association, who is a current or former service person, to serve a two-year term on the Cenotaph Advisory Committee.

“CARRIED”

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Director of Community Services

Report CSACH09-015

Establishment of an Official Register of Places of Cultural Heritage Value or Interest

Moved by Councillor Farquharson

That the recommendation outlined in Report CSACH09-015 dated September 8, 2009 of the Director of Community Services, be deferred for two cycles of Council to allow staff to investigate notice provision requirements to affected property owners.

Moved by Councillor Doris

That the Question be Put.

“CARRIED”

Upon the original motion of Councillor Farquharson, this motion carried.

Councillor Peeters left the meeting at 8:42 p.m.

Director of Community Services

Report CSSS09-010A

Council Resolution in Support of Employment Insurance Reform

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSSS09-010A dated September 8, 2009 of the Director of Community Services, as follows:

That the Mayor be requested to send a letter to the Premier of Ontario, copied to the Minister of Human Resources and Skills Development, to the local federal MP, to the local MPP, and to the Association of Municipalities of Ontario (AMO) recommending that the existing EI Program be changed to improve access and equity in order to ensure that municipal government does not bear the burden of income distribution.

“CARRIED”

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**Director Of Community Services
Report CSAD09-005
Evinrude Centre Lift Removal**

Moved by Mayor Ayotte

That Council approve the recommendation outlined in Report CSAD09-005 dated September 8, 2009, of the Director of Community Services as follows:

That the agreement with Kawartha Capital Construction resulting from award of Tender T-17-09, and authorized through By-law 09-033, for the construction of an elevator shaft and installation of a new elevator for Evinrude Centre, at a cost of \$149,566, and GST of \$7,478.30 for a total of \$157,044.30, "PST not applicable" be amended to include the removal of the old "lift" elevator for an additional cost of \$19,250.81 plus GST of \$962.54 for a total of \$20,213.35.

"CARRIED"

Mayor Ayotte left the meeting at 9:05 p.m. and returned at 9:08 p.m.

**Acting Director of Utility Services
Report USTR09-010
Temporary Road Closure, Wallis Drive from Sherbrooke Street to
Danita Boulevard**

Moved by Councillor Doris

That Council approve the recommendation outlined in Report USTR09-010 dated September 8, 2009, of the Director of Utility Services, as follows:

That a bylaw be passed to temporarily close Wallis Drive from Sherbrooke Street to Danita Boulevard to through traffic from September 15, 2009 to November 20, 2009.

"CARRIED"

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**Senior Director of Corporate Services
Report CPFPRS09-026**

Budget Transfers and Award of RFP P-30-09 and RFP P-31-09 to undertake Building Condition Assessments, Energy Audits, and HVAC Consulting for various City of Peterborough Facilities

Moved by Councillor Vass

That Council approve the recommendations outlined in Report CPFPRS09-026 dated September 8, 2009 of the Senior Director of Corporate Services as follows:

- a) i) That a \$105,000 capital project be established in 2009 to undertake various Inspections, to produce Building Assessment Conditions and Energy Audit Reports, to produce Capital Expenditure Forecasts, and to provide HVAC consulting services for various City Facilities.
- ii) And that the \$105,000 project be funded from the following sources:

Source	Amount
Transfer from 2009 approved Capital Project 1-2.07 Roof Rehabilitations – Surveys	\$10,000
Transfer from 2009 Approved Capital Project – 1-2.02 - Heating Ventilation. Air Conditioning (HVAC) Projects (City Hall North Wing HVAC Study portion)	\$30,000
Roof Repair Reserve	\$50,000
Capital Levy Reserve	\$15,000
Total	\$105,000

- b) i) That the portion of Request for Proposals Document P-30-09, to provide Engineering Consultant Services to undertake, during 2009, an inspection and produce building condition assessments, energy audits and capital expenditure forecasts for the Evinrude Centre, Kinsmen Arena, Main Library, Peterborough Daycare, Peterborough Museum and Archives, Fire Stations #1, #2 and #3 be awarded to Accent Building Sciences, 850 Tapscott Road, Unit 29, Toronto, Ontario, M1X 1N4 at a cost of \$58,309.00, (PST not applicable) and GST of \$2,915.45 for a total of \$61,224.45 including all taxes.

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- ii) That subject to sufficient funds being approved in the 2010 Capital Budget, the balance of Request for Proposals Document P-30-09, to provide Engineering Consultant Services to undertake an inspection and produce building condition assessments, energy audits and capital expenditure forecasts for 38 other facilities listed in Appendix A to report CPFPRS09-026 be awarded to Accent Building Sciences, 850 Tapscott Road, Unit 29, Toronto, Ontario, M1X 1N4 at a cost of \$147,518.70, (PST not applicable) and GST of \$7,375.94 for a total of \$154,894.64 including all taxes.

- c)
 - i) That the portion of Request for Proposals Document P-31-09, to provide Engineering Consultant Services to undertake, during 2009, an inspection and produce building condition assessments, energy audits and capital expenditure forecasts and HVAC re-design for City Hall be awarded to Accent Building Sciences, 850 Tapscott Road, Unit 29, Toronto, Ontario, M1X 1N4 at a cost of \$45,600.00, (PST not applicable) and GST of \$2,280.00 for a total of \$47,880.00 including all taxes.

 - ii) That subject to sufficient funds being approved in the 2010 Capital Budget, the portion of Request for Proposals Document P-31-09 to provide Project Management of the HVAC Replacement and Building Automation System (BAS) during 2010 also be awarded to Accent Building Sciences, 850 Tapscott Road, Unit 29, Toronto, Ontario, M1X 1N4 at a cost of \$15,300.00, (PST not applicable) and GST of \$765.00 for a total of \$16,065.00 including all taxes.

“CARRIED”

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**Senior Director of Corporate Services
Report CPFPRS09-028
Federal Gas Tax Funding Reallocation**

Moved by Councillor Doris

That Council approve the recommendation outlined in Report CPFPRS09-028, dated September 8, 2009, of the Senior Director of Corporate Services as follows:

That the \$6.1 million Federal Gas Tax funding of the PRHC Road Improvements Project (2009 Capital Budget Project 5-2.01) be reallocated to other projects, and the funding replaced by Federal Gas Tax in the other projects be reallocated to fund the PRHC Road Improvements Projects as set out in Report CPFPRS09-028.

“CARRIED”

**Senior Director of Corporate Services
Report CPFPRS09-030
Ontario Bus Replacement Program**

Moved by Councillor Vass

That Council approve the recommendation in Report CPFPRS09-030 dated September 8, 2009 of the Senior Director of Corporate Services, as follows:

That a by-law be passed authorizing the Mayor and Clerk to sign a Letter of Agreement between the Province of Ontario, represented by the Minister of Transportation, and the Corporation of the City of Peterborough to facilitate Provincial funding under the Ontario Bus Replacement Program.

“CARRIED”

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**Senior Director of Corporate Services
Report CPFPRS09-031
National Trails Infrastructure Program – Willowcreek Trail**

Moved by Mayor Ayotte

That Council approve the recommendations in Report CPFPRS09-031 dated September 8, 2009 of the Senior Director of Corporate Services, as follows:

- a) That a by-law be passed authorizing the Mayor and Clerk to sign a Funding Agreement between the Coalition of Canadian Trails Organizations, operating under the name of the National Trails Coalition, and the Corporation of the City of Peterborough in order to receive a \$120,000 grant under the National Trails Infrastructure Program.**
- b) That the 2009 Trail Development Capital Budget (Reference 7-1.04) be increased from \$320,000 to \$440,000, with the additional \$120,000 to be funded by the National Trails Infrastructure Program grant.**

“CARRIED”

Other Business

Traffic Issues on Lansdowne Street West

Moved by Councillor Peacock

That a report be prepared by staff, with respect to traffic issues on Lansdowne Street West from Holy Cross School to Spillsbury Drive, regarding access to adjacent condominiums.

“CARRIED”

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Kinsmen Minor Football League

Moved by Councillor Vass

That a report be prepared by staff with respect to the current issues faced by the Kinsmen Minor Football League.

"CARRIED"

Adjournment

Moved by Mayor Ayotte

That this meeting of Committee of the Whole adjourn at 9:41 p.m.

"CARRIED"

Kevin Arjoon
Deputy Clerk

Bob Hall
Chair