



**COMMITTEE OF THE WHOLE MINUTES
CITY OF PETERBOROUGH**

JUNE 7, 2010

DRAFT MINUTES NOT APPROVED

**MINUTES OF A MEETING OF COMMITTEE OF THE WHOLE HELD ON
JUNE 7, 2010 IN THE GENERAL COMMITTEE ROOM AND COUNCIL
CHAMBERS, CITY HALL**

The meeting of Committee of the Whole was called to order at 5:02 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 two items under Section 239(2)(b) Personal Matters About An Identifiable Individual, Including Municipal Or Local Board Employees, three items under Section 239(2)(c) A Proposed Or Pending Acquisition Or Disposition Of Land By The Municipality Or Local Board, and one item under Section 239(2)(e) Litigation Or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting The Municipality Or Local Board.

"CARRIED"

Moved by Councillor Pappas

That Committee move out of closed session at 7:52 p.m.

"CARRIED"

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Committee reconvened at 8:02 p.m. in the Council Chambers.

Minutes – May 14, 2010, May 17, 2010 and May 25, 2010

Moved by Councillor Farquharson

That the minutes of the Committee of the Whole meeting held May 14, 2010 and May 17, 2010 and May 25, 2010 be approved.

“CARRIED”

Disclosure of Pecuniary Interest

There were no disclosures of interest.

Report of Closed Session

Director of Planning and Development Services

Report PLPD10-038

Transfer of City-owned Property on Oakwood Crescent

Moved by Councillor Farquharson

That Council approve the recommendations outlined in Report PLPD10-038 dated June 7, 2010, of the Director of Planning and Development Services as follows:

- a) **That property known as Blocks C and D on Plan M23 dated May 10, 1976 be transferred to Kevin MacDonald and Jocelyne Stone, for the consideration of Two Dollars.**
- b) **That the cost of \$910.50 to acquire Block D from the Public Guardian and Trustee be recovered from the purchaser.**
- c) **That the actual servicing and development costs of \$6,432.04, associated with servicing the frontage of this property be recovered from the purchaser.**

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- d) That public notice be provided, and that the by-laws pertaining to the transfer of City-owned property on Oakwood Crescent be delayed to the July 5, 2010 Council meeting.

"CARRIED"

Report of Closed Session

City Solicitor and Director of Legal Services

Report OCS10-006

Expropriation of Parts 2, 3, 4 and 8 on Reference Plan 45R14925 and Part 7 on Reference Plan 45R14926 for Road Widening Purposes - Lansdowne Street West

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report OCS10-006 dated June 7, 2010, of the City Solicitor and Director of Legal Services, as follows:

- a) That the Mayor and Clerk be authorized to complete all actions as necessary to commence the expropriation of Parts 2, 3, 4 and 8 on Reference Plan 45R14925 and Part 7 on Reference Plan 45R14926, Lansdowne Street West for road widening purposes;
- b) That the City Solicitor be authorized to sign the Notices required to be given under the Expropriation Act, and to engage such appraisal, business valuation, surveyor other professional services in connection with the expropriation as are necessary and advisable; and
- c) That Council delegate to the Chief Administrative Officer and the Senior Director of Corporate Services authority to make expenditures greater than the budgeted amounts and report back to Council.

"CARRIED"

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**Report of Closed Session
Director of Planning and Development Services
Report PLPD10-045
Purchase of Property, South Side of Mervin Line, East of
Airport Road**

Moved by Councillor Clarke

That Council approve the recommendation outlined in Report PLPD10-045 dated June 7, 2010, of the Director of Planning and Development Services as follows:

That a by-law be passed to authorize the purchase of approximately 60.0 acres of property from Stuart Comstock Mervin, being part of Lots 7 and 8, Concession 8 in the Township of Cavan-Monaghan, east of Airport Road, for a purchase price of \$300,000.00.

"CARRIED"

Consent Agenda

Moved by Councillor Pappas

That Items 7, 10, 13, 14, 18, 19, 23, and 24 be approved as part of the Consent Agenda.

"CARRIED"

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**Director of Community Services
Report CSD10-021
Award of RFP P-17-10 Peterborough Marina 'B' Docks**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report CSD10-021 dated June 7, 2010 of the Director of Community Services, as follows:

That Request for Proposals Document P-17-10 for the design and construction of new 'B' docks at the Peterborough Marina be awarded to R. & J. Machine at 1601 County Road 18, Lakefield, Ontario L0L 2H0 at a cost of \$199,298.66, and HST of \$25,908.82 for a total cost of \$225,207.48.

"CARRIED"

**Director of Utility Services
Report USEP10-005
Award of Request for Proposal P-11-10 for the Mitigation and Management of Extraneous Flows into the Sanitary Sewer System**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report USEP10-005 dated June 7, 2010, of the Director of Utility Services, as follows:

That P-11-10 for the Detailed Sanitary Sewer EA for the Mitigation and Management of Extraneous Flows into the Sanitary Sewer System be awarded to Cole Engineering Group Ltd., 100 Renfrew Dr., Suite 100, Markham, Ontario L3R 9R6, at a cost of \$547,339.50 plus \$27,366.98 GST, for a total cost of \$574,706.48.

"CARRIED"

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**Director of Utility Services
Report USTR10-004
Calendar Parking on Brown Street**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report USTR10-004 dated June 6, 2010, from the Director of Utility Services, as follows:

That Calendar Parking be implemented on Brown Street from Monaghan Road to High Street.

"CARRIED"

**Director of Utility Services
Report USTR10-006
No Parking on Wildlark Gate**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report USTR10-006 dated June 7, 2010, from the Director of Utility Services, as follows:

That 'No Parking Anytime' be implemented on both sides of Wildlark Gate from Glenforest Boulevard to Wildlark Drive.

"CARRIED"

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Director of Utility Services

Report USWM10-005

**Post-Collection Service Contract for Consolidated Municipal
Hazardous and Special Waste**

Moved by Councillor Pappas

That Council approve the recommendations outlined in Report USWM10-005 dated June 7, 2010 of the Director of Utility Services, as follows:

- a) That the contract for the post-collection of Consolidated Municipal Hazardous and Special Waste be awarded to Stewardship Ontario, 1 St. Clair Ave. West, 7th Floor, Toronto, Ontario M4V 1K6 for a 2-year period from July 1, 2010 to June 30, 2012 at no cost to the City of Peterborough;**
- b) That the Mayor and Clerk be authorized to execute any agreements necessary to implement Recommendation a); and**
- c) That staff be granted permission to approve an additional year of post-collection service to Stewardship Ontario from July 1, 2012 at no cost to the City, conditional upon satisfactory performance of the contractor in the prior 2 years.**

“CARRIED”

City Solicitor and Director of Legal Services

Report OCS10-008

Canada – EU Trade and Investment Agreement

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report OCS10-008 dated June 7, 2010, of the City Solicitor and Director of Legal Services, as follows:

That Report OCS10-008 regarding the Canada – EU Trade Investment Agreement, be received for information.

“CARRIED”

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CORRESP10-018

**Otonabee Region Conservation Authority
Information Bulletin For Municipal Councillors**

Moved by Councillor Pappas

That the correspondence from the Otonabee Region Conservation Authority providing an update on activities that occurred in Spring 2010 be received for information.

"CARRIED"

CORRESP10-019

**The Ontario Family Fishing Weekend Steering Committee
Ontario Family Fishing Week**

Moved by Councillor Pappas

That the correspondence from the Ontario Family Fishing Weekend Steering Committee advising of Ontario Family Fishing Week be received for information.

"CARRIED"

**Director of Community Services
Report CSD10-027
Mark Street Wharf Reconfiguration Design**

Moved by Mayor Ayotte

That Council approve the recommendation outlined in Report CSD10-027 dated June 7, 2010, of the Director of Community Services, as follows:

That Report CSD10-027 be received for information.

"CARRIED"

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**Director of Community Services
Report CSACH10-007
Lawn Bowling Club Update**

Moved by Councillor Pappas

- a) That City staff be authorized to acquire the existing Peterborough Lawn Bowling Clubhouse at 581 McDonnell Street;
- b) That a by-law be passed authorizing the Mayor and Clerk to sign the purchase agreement;
- c) That City Staff seek a buyer with an acceptable adaptive re-use that preserves the building's heritage values, or, failing that initiative, the City will demolish the building and return the vacant property to the Peterborough Lawn Bowling Club;
- d) That a \$50,000 capital budget be established for the acquisition, potential resale or demolition, and to cover the costs incurred to maintain the building while in City ownership, and the \$50,000 funds be drawn from the Capital Levy Reserve;
- e) If an acceptable offer is not found, that staff will come back to Council.

Mayor Ayotte raised a point of order, as the motion made by Councillor Pappas was out of order, Council has dealt with the matter, and therefore the matter should be reconsidered at Council.

Councillor Farquharson raised a point of order, and noted past decisions where matters were re-tabled without being deemed a reconsideration.

Councillor Peeters raised a point of order, and noted that the motion is not contrary and should be permitted.

The Chair ruled that motion was out of order as that the matter should be re-opened at Council, in the form of a Notice of Motion. Councillor Pappas challenged the Chair in respect to ruling that the motion was out of order. The Chair called for a vote in support of the Chair's ruling. The Chair was supported.

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Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CSACH10-007 dated June 7, 2010, of the Director of Community Services, as follows:

That Report CSACH10-007 be received for information.

Councillor Vass requested that staff provide a memorandum to Council prior to the June 14, 2010 Council meeting, providing information on the various options regarding the Lawn Bowling Club.

Upon the motion made by Councillor Peacock, this motion carried.

**Director of Utility Services
Report USPW10-010**

**Award of Request For Proposals P-06-10 for the Design,
Supply and Installation of a Splash Pad at King Edward Park**

Moved by Councillor Pappas

That Council approve the recommendation outlined in Report USPW10-010 dated June 7, 2010, of the Director of Utility Services, as follows:

That RFP P-06-10, for the Design, Supply and Installation of a Splash Pad at King Edward Park be awarded to ABC Recreation Ltd, P.O. Box 21009, Paris, Ontario, N3L 4A5 at a cost of \$170,589.60 plus \$8,529.48 GST for a total cost of \$179,119.08.

Councillor Pappas left the meeting at 8:52 p.m. and returned to the meeting at 8:54 p.m.

“CARRIED”

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**Director of Utility Services Department
Report USTR10-009
Enforcement of Private Property Parking Spaces Designated for
People with Disabilities**

Moved by Councillor Peeters

That Council approve the recommendations outlined in Report USTR10-009 dated June 7, 2010, of the Director of Utility Services as follows:

- a) That City parking control staff enforce private property parking spaces designed for people with disabilities subject to an executed agreement with the property owner;**
- b) That annual private property enforcement agreements be implemented to offset capital and operating costs of this program; and**
- c) That the following rates be applied for the City to enforce the parking within spaces designated for people with disabilities on private property:**
 - 1-5 spaces - \$500.00 per year**
 - 6-10 spaces - \$1,000.00 per year**
 - 10+ spaces - \$1,500.00 per year**

Councillor Doris requested that staff review the locations of disabled parking signs for the private properties that sign up for the program, and ensure that the signs on their property are intact.

Upon the original motion made by Councillor Peeters, this motion carried.

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**Director of Utility Services Department
Report USEC10-009
Flood Reduction Master Plan Progress Report and Watershed EA
Capital Projects**

Moved by Councillor Martin

That Council approve the recommendations outlined in Report USEC10-009 dated June 7, 2010 of the Director of Utility Services as follows:

- a) That staff be requested to include a funding level of \$2.5 million for implementation of the Watershed EA Capital Projects in the 2011 Budget estimates for discussion purposes; and**
- b) That staff be requested to report further to Council on possible funding arrangements that incorporate Recommendation a) and the other storm water/sewer funding requirements as detailed in Report USEC10-009.**

Councillor Peeters left the meeting at 9:25 p.m. and returned to the meeting at 9:29 p.m.

“CARRIED”

**Director of Utility Services
Report USEC10-014
Budget Adjustment and Award of Tender T-08-10 The
Parkway/Highway7/115/Sir Sandford Fleming Drive Interchange
Improvements**

Moved by Councillor Vass

That Council approve the recommendations outlined in Report USEC10-014 dated June 7, 2010, of the Director of Utility Services, as follows:

- a) That the 2009 Capital Budget for the Parkway/Highway7/115/Sir Sandford Fleming Drive Interchange Improvement Project (Item 5-2.02) be increased by \$2,071,000 from \$3,100,000 to \$5,171,000 with the City net budget requirement increased by \$729,800 from \$1,250,000 to \$1,979,800;**

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- b) That \$364,850 of the City's additional requirement be funded through Development Charge Reserve;
- c) That \$364,950 of the City's additional requirement be funded through the Capital Levy Reserve; and
- d) That Tender T-08-10 for the Parkway/Highway 7/115/Sir Sandford Fleming Drive Interchange Improvement project be awarded to Miller Paving Limited, PO Box 4080, Markham ON L3R 9R8 at a cost of \$4,396,144.53 plus applicable HST.

"CARRIED"

**Director of Utility Services
Report USEC10-015
Budget Adjustments and Award of Tender T-07-10
PRHC New Access Road Construction**

Moved by Councillor Martin

That Council approve the recommendations outlined in Report USEC10-015 dated June 7, 2010, of the Director of Utility Services, as follows:

- a) That the 2010 Capital budget for the PRHC New Access Road Construction (Item 5-2.04) be increased by \$1,985,000 from \$6,550,000 to \$8,535,000;
- b) That \$50,000 be transferred from the Sewer Surcharge Reserve;
- c) That \$690,000 be transferred from the uncommitted funds from the Montgomery Street Reconstruction (Capital Budget Item 5-6.02);
- d) That \$400,000 identified as part of the funding for the construction of the Hospital Access Road (Project 5-2.04) for the year 2011 be pre-committed for use in 2010;
- e) That \$620,000 be charged to the Flood Reduction Master Plan Capital Projects;
- f) That \$225,000 be transferred from the Capital Levy Reserve;

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- g) That Tender T-07-10 for the construction of the PRHC New Access Road be awarded to Drain Bros. Excavating Limited, RR#2 Lakefield, Ontario, K0L 2H0 at a total cost of \$6,896,881.65 plus HST of \$896,594.61 for a total of \$7,793,476.26; and**
- h) That D.M. Wills Associate Ltd., 452 Charlotte Street Peterborough, ON K9J 2W3 be retained to provide contract administration and inspection services at an estimated cost of \$349,844.00 plus HST of \$45,479.72.25 for a total of \$395,323.72.**

Moved by Councillor Peacock

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

“CARRIED”

Upon the original motion made by Councillor Martin, this motion carried.

**Director of Planning and Development Services
Report PLPD10-047
Airport Operations: Contract Extension**

Moved by Councillor Vass

That Council approve the recommendation outlined in Report PLPD10-047 dated June 7, 2010, of the Director of Planning and Development Services as follows:

That the contract with Loomex Property Management Ltd. (formerly called Barry Electrical Contractors Ltd.) to provide all grounds maintenance services, including winter control and grass cutting, and day to day operational oversight of airport activities, be extended to June 30, 2011 on the same terms and conditions as the existing contract, with two (2) – six (6) month renewal periods at the option of the City, to allow the Airport operations to normalize after the Airport Expansion project is completed.

“CARRIED”

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**City Clerk
Report CPCLK10-012
Proxy Voting**

Moved by Councillor Farquharson

That Council approve the recommendation outlined in Report CPCLK10-012 dated June 7, 2010, of the City Clerk, as follows:

That Proxy Voting be authorized for use in the 2010 Municipal Election.

"CARRIED"

**Senior Director of Corporate Services
Report CPFRRAS10-007
Quarterly Financial Report (Unaudited)
As of March 31, 2010**

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report CPFRRAS10-007 dated June 7, 2010, of the Senior Director of Corporate Services, as follows:

- a) That the March 31, 2010 Quarterly Financial Report be received.**
- b) That the annual \$5 fee for property tax owners that pay their taxes through Preauthorized payment be cancelled and that the 2010 revenue line for \$40,500 in the 2010 Operating Budget be eliminated and the Supplementary Taxes revenue line in the 2010 Operating Budget be changed from \$850,000 to \$890,500.**
- c) That the City accept the additional 50% provincial one-time subsidy being offered in the amount of \$16,700 for the Supportive Approaches through Innovative Learning Training initiative to offset the Municipal contribution in Ontario Works Administration.**
- d) That the 2010 budget in the amount of \$910,000 for Municipal Property Assessment Corporation fees be revised downwards to \$889,332 and the difference of \$20,668 be added to the 2010 Contingency budget.**

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- e) **That a Site Plan Compliance Reserve and a Planning Technical Studies Reserve be created and unspent funds in the amount of \$16,000 and \$30,000 respectively, be transferred to the new reserves.**

“CARRIED”

**CORRESP10-020
Canadian Convenience Stores Association
The 10% - 2010 Contraband Objective Campaign**

Moved by Councillor Peeters

WHEREAS organized crime makes cigarettes more accessible to our school children, without the slightest regard for their safety;

WHEREAS contraband cigarettes are five times cheaper than legal cigarettes undermining government anti-smoking efforts;

WHEREAS the illegal sale of contraband tobacco brings in hundreds of millions of dollars of revenue for organized crime resulting in over a billion dollar loss in revenue for governments across Canada;

WHEREAS this situation has persisted for years and only continues to get worse;

We hereby resolve to pledge our official support for the "10% - 2010 Objective" campaign, launched this year by the Canadian Convenience Stores Association (CCSA) to encourage members of the Federal and Provincial parliaments to formally lend their support to reduce contraband tobacco to 10% in their ridings as an initial step towards the complete eradication of illegal tobacco sales.

Moved by Councillor Farquharson

That the correspondence be referred to the Health Unit, for their opinion on the 10% 2010 Contraband Objective Campaign.

“CARRIED”

Councillor Farquharson left the meeting at 10:44 p.m.

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CORRESP10-021

**Association of Municipal Managers, Clerks and Treasurers of Ontario
(AMCTO)
Bar Hours Extended During World Cup**

Moved by Councillor Peeters

That the City of Peterborough communicate with the AGCO, indicating that the City of Peterborough will not participate in the extension of alcohol sales and services during the 2010 FIFA World Cup.

“LOST”

Moved by Councillor Doris

That the correspondence from the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) advising of extended bar hours during the World Cup be received for information.

“CARRIED “

Other Business

There was no Other Business.

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Adjournment

Moved by Councillor Peacock

That this meeting of Committee of the Whole adjourn at 11:01 p.m.

"CARRIED"

Kevin Arjoon
Deputy City Clerk

Councillor Hall
Chair