

COMMITTEE OF THE WHOLE MINUTES CITY OF PETERBOROUGH APRIL 26, 2010

DRAFT MINUTES NOT APPROVED

MINUTES OF A MEETING OF COMMITTEE OF THE WHOLE HELD ON APRIL 26, 2010 IN THE GENERAL COMMITTEE ROOM, CITY HALL

The meeting of Committee of the Whole was called to order at 5:00 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 5:37 p.m.

Councillor Vass

Mayor Ayotte

Moved by Councillor Clarke

That Committee move into closed session to discuss 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 7:44 p.m.

Committee reconvened in open session at 7:50 p.m.

Minutes - April 6, 2010, April 12, 2010 and April 19, 2010

Moved by Councillor Farquharson

That the minutes of the Committee of the Whole meeting held April 6, 2010, April 12, 2010 and April 19, 2010 be approved.

"CARRIED"

Report of Closed Session
Director of Planning and Development Services
Report PLPD10-007
Sale of Industrial Land to 2185339 Ontario Ltd

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report PLPD10-007 dated April 26, 2010, of the Director of Planning and Development Services as follows:

That a by-law be passed to authorize the sale of 1.53 hectares (3.78 acres) of land municipally known as 150 Jameson Drive, being part 8 on plan 45R-11969 to 2185339 Ontario Ltd for a sale price of \$151,200.00.

Report of Closed Session
Director of Planning and Development Services
Report PLPD10-022
Purchase of Property for Road-Widening

Moved by Councillor Farquharson

That Council approve the recommendations outlined in Report PLPD10-022 dated April 26, 2010 of the Director of Planning and Development Services as follows:

- a) That a by-law be passed to authorize the purchase of land at 871 Brealey Drive described as Part 5 on Plan 45R-14918 for a purchase price of \$8,350 plus land transfer tax of \$41.75 and a further payment for injurious affection of \$18,450.00.
- b) That a by-law be passed to authorize the purchase of land at 879 Brealey Drive described as Part 4 on Plan 45R-14918 for a purchase price of \$11,050 plus land transfer tax of \$55.25 and a further payment for injurious affection of \$18,480.00.
- c) That a by-law be passed to authorize the purchase of land at 887 Brealey Drive described as Part 3 on Plan 45R-14918 for a purchase price of \$11,050.00 plus land transfer tax of \$55.25 and a further payment for injurious affection of \$18,546.00.
- d) That a by-law be passed to authorize the purchase of land at 895 Brealey Drive described as Part 2 on Plan 45R-14918 for a purchase price of \$11,050.00 plus land transfer tax of \$55.25 and a further payment for injurious affection of \$18,623.00.
- e) That a by-law be passed to authorize the purchase of land at 903 Brealey Drive described as Part 1 on Plan 45R-14918 for a purchase price of \$11,050.00 plus land transfer tax of \$55.25 and a further payment for injurious affection of \$18,700.00.
- f) That a by-law be passed to authorize the acquisition of land at 1597 Lansdowne Street West described as Part 1 on Plan 45R-14925 in exchange for the construction of Municipal Services to serve the property.

- g) That a by-law be passed to authorize the acquisition of land at 1607 Lansdowne Street West described as Part 2 on Plan 45R-14925 for a purchase price of \$7,530 plus land transfer tax of 37.67 or in exchange for the construction of Municipal Services to serve the property.
- h) That a by-law be passed to authorize the acquisition of land at 1619 Lansdowne Street West described as Part 3 on Plan 45R-14925 for a purchase price of \$7,530 plus land transfer tax of 37.67 or in exchange for the construction of Municipal Services to serve the property.
- i) That a by-law be passed to authorize the acquisition of land at 1633 Lansdowne Street West described as Part 4 on Plan 45R-14925 for a purchase price of \$7,530 plus land transfer tax of 37.67 or in exchange for the construction of Municipal Services to serve the property.
- j) That a by-law be passed to authorize the purchase of land at 1643 Lansdowne Street West described as Part 9 on Plan 45R-14925, for a purchase price of \$7,470.00 plus land transfer tax of \$37.35.
- k) That a by-law be passed to authorize the purchase of land at 1700 Lansdowne Street West described as Part 1 on Plan 45R-14926, for a purchase price of \$11,050.00 plus land transfer tax of \$55.25, or as an alternative an exchange of City-owned property of approximate equivalent value located to the rear of 1700 Lansdowne Street West; plus a further payment for injurious affection of \$18,790.00.
- I) That a by-law be passed to authorize the acquisition of land at 1709 Lansdowne Street West described as Part 7 on Plan 45R-14926 for a purchase price of \$6,300 plus land transfer tax of 31.50 or in exchange for the construction of Municipal Services to serve the property.
- m) That a by-law be passed to authorize the exchange of land at 1710 Lansdowne Street West described as Part 6 on Plan 45R-14926, and having a value of \$11,050.00 for City-owned property having an approximate equivalent value to the rear of 1710 Lansdowne Street West; plus a further payment for injurious affection of \$18,790.00.
- n) That a by-law be passed to authorize the purchase of land at 1743 Lansdowne Street West described as Part 8 on Plan 45R-14926, for a purchase price of \$2,781.00 plus land transfer tax of \$13.91.

- o) That a by-law be passed to authorize the purchase of land at 1788 Lansdowne Street West described as Part 1 on Plan 45R-14935, for a purchase price of \$3,410.00 plus land transfer tax of \$17.05 and a further payment for injurious affection of \$7,720.00.
- p) That a by-law be passed to authorize the purchase of land at 1796 Lansdowne Street West described as Part 2 on Plan 45R-14935, for a purchase price of \$4,095.00 plus land transfer tax of \$20.48 and a further payment for injurious affection of \$7,720.00.
- q) That a by-law be passed to authorize the purchase of land at 1808 Lansdowne Street West described as Part 3 on Plan 45R-14935, for a purchase price of \$4,095.00 plus land transfer tax of \$20.48 and a further payment for injurious affection of \$7,780.00.
- r) That a by-law be passed to authorize the purchase of land at 1900 Lansdowne Street West described as Part 5 on Plan 45R-14935, for a purchase price of \$18,900.00 plus land transfer tax of \$94.50.

"CARRIED"

Report of Closed Session Director of Planning and Development Services Report PLPD10-026 Sale of Partial Lane East of 114 Maude St

Moved by Councillor Pappas

That Council approve the recommendations outlined in Report PLPD10-026 dated April 26, 2010, of the Director of Planning and Development Services as follows:

- a) That a portion of a City-owned lane, located east of 114 Maude Street, being 35 feet in width and 20 feet in depth, totalling 700 square feet (65.03 square metres), subject to survey, be closed by by-law.
- b) That a portion of a City-owned lane, located east of 114 Maude Street, being 35 feet in width and 20 feet in depth, totalling 700 square feet (65.03 square metres), subject to survey, be sold to Christa Payne for \$539.00.

Disclosure of Pecuniary Interest

Councillor Pappas indicated an interest to item 9, as he is involved in the Earth Hour organization, they have received a grant through the Community Project Grants program.

Councillor Clarke indicated an interest to item 14, as he is employed y PepsiCo, a major supplier of bottled water.

Councillor Martin indicated an interest to item 10, as he is involved with the Peterborough New Year's Celebrations.

Consent Agenda

Moved by Councillor Farquharson

That Items 6, 12, 13, 18, 19, 20, 22, 23, 24, and 25 be approved as part of the Consent Agenda.

"CARRIED"

City Clerk
Report CPCLK10-006
Establishment of a Compliance Audit Committee

Moved by Councillor Peacock

That Council approve the recommendation outlined in report CPCLK10-006, dated April 26, 2010, of the City Clerk as follows:

That a Compliance Audit Committee be established for the period from December 1, 2010 to November 30, 2014 and be composed of the following individuals:

Steven Brickell Terry McLaren Bryce McLean Scott McMichael Jacqueline Wright

Director of Community Services
Report CSD10-014
Bonnerworth Park Washroom Change Order

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CSD10-014 dated April 26, 2010 of the Director of Community Services, as follows:

That the contract to Kawartha Capital Corporation be increased by \$60,150 net of GST to reflect a change order for water service for the Bonnerworth Park washroom reconstruction project.

"CARRIED"

Director of Community Services Report CSF10-007 Probationary Fire Fighter Program

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CSF10-007 dated April 26, 2010, of the Director of Community Services, as follows:

That four probationary Fire Fighters positions be employed during the period May 10, 2010 through to September 30, 2010 as a means of reducing overtime costs.

Director of Community Services
Report CSSS10-005
Early Learning and Best Start Update

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CSSS10-005 dated April 26, 2010, of the Director of Community Services, as follows:

That the Early Learning and Best Start Update Report be received.

"CARRIED"

Director of Utility Services
Report USEC10-011
Budget Adjustment for Road and Storm Sewer Works on Greenlawn
Avenue, St. Anne's Street and Timothy Street

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report USEC10-011 dated April 26, 2010, of the Director of Utility Services, as follows:

- a) That the Capital budget for road and storm sewer upgrades on Greenlawn Avenue, St. Anne's Street and Timothy Street be increased by \$170,000 from \$400,000 to \$570,000; and
- b) That the additional \$179,000 be charged to the Jackson Creek Capital Projects Flood Reduction Account.

Director of Utility Services
Report USEC10-012
Reconstruction of Aylmer Street Bridge over Jackson Creek Increase of Contract Cost

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report USEC10-012, dated April 26, 2010, of the Director of Utility Services, as follows:

- a) That T-19-09 for the rehabilitation of the Aylmer Street Bridge over Jackson Creek be increased by \$110,165.25 from \$1,154,669.00 to \$1,264,834.25; and
- b) That the contract with AECOM for administration and inspection services for the rehabilitation of the Aylmer Street Bridge over Jackson Creek be increased by \$7,500.00 from \$50,000.00 to \$57,500.00.

"CARRIED"

Director of Planning and Development Services Report PLHD10-001

Update on the Results of the Affordable Housing Program 2009 Extension and the Social Housing Renovation and Retrofit Program

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report PLHD10-001, dated April 26, 2010 of the Director of Planning and Development Services as follows:

That Report PLHD10-001 Update on the Results of the Affordable Housing Program 2009 Extension and the Social Housing Renovation and Retrofit Program be received for information purposes.

Director of Planning and Development Services
Report PLPD10-025
Indemnity Agreements Concerning 396 and 400 Lansdowne Street
East for a Recreational Trail

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report PLPD10-025 dated April 26, 2010, of the Director of Planning and Development Services as follows:

That a by-law be passed authorizing the Mayor and Clerk to sign indemnity agreements with 1783883 Ontario Inc. and the Huntingdon Real Estate Investment Trust.

"CARRIED"

Director of Planning and Development Services
Report PLPD10-027DBIA
Downtown Farmers Market Relocation to the Louis Street Parking Lot

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report PLPD10-027 dated April 26, 2010, of the Director of Planning and Development Services, as follows:

- a) That permission be granted to the DBIA Downtown Farmers Market to use a portion of the Louis Street Parking Lot every Wednesday from 7:30 am to 2:30 pm commencing May 5 2010, to October 6, 2010, in general conformance with the Site Plan attached hereto as Schedule "A".
- b) That an agreement be executed with the Downtown Business Improvement Area for the DBIA Downtown Farmers Market's use of the Louise Street Parking Lot.

City Clerk
Report CPCLK10-007
Peterborough Downtown Business Improvement Area (PDBIA)
Buskers Festival and Annual Sidewalk Sale

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CPCLK10-007, dated April 26, 2010, of the City Clerk, as follows:

- a) That merchants within the area of the PDBIA be granted permission to conduct a Buskers Festival on the sidewalks of downtown Peterborough on Saturday, June 26, 2010.
- b) That merchants within the area of the PDBIA be granted permission to conduct the Annual Sidewalk Sale from Friday, July 2 to Sunday July 11, 2010.

"CARRIED"

Director of Community Services Report CSD10-012 Community Project Grants 2010

Moved by Mayor Ayotte

That Council approve the recommendations outlined in Report CSD10-012 dated April 26, 2010, of the Director of Community Services, as follows:

- a) That the 2010 Community Project Grants in the total amount of \$20,000 be allocated to various local charitable and Not For Profit organizations (NFP's) as set out in the attached Appendix A.
- b) That approved organizations be authorized to use the City Coat of Arms to acknowledge City support on promotional material such as flyers, brochures and posters throughout 2010.

Director of Community Services Report CSD10-013 Community Investment Grants 2010

Moved by Councillor Clarke

That Council approve the recommendations outlined in Report CSD10-013 dated April 26, 2010, of the Director of Community Services, as follows:

- a) That the 2010 Community Investment Grants in the total amount of \$205,000 be allocated to various local charitable and Not For Profit organizations (NFP's) as set out on the attached Appendix A.
- b) That approved organizations be authorized to use the City Coat of Arms to acknowledge City support on promotional material such as flyers, brochures and posters throughout 2010.

"CARRIED"

Director of Community Services
Report CSRS10-004
Banning the Sale of Bottled Water in City Facilities

Moved by Councillor Pappas

That Council approve the recommendations outlined in Report CSRS10-004 dated April 26, 2010, of the Director of Community Services as follows:

- a) That the preferred option (Option 4) to stop serving bottled water at Cityowned facilities immediately; but to gradually stop selling at all City-owned facilities so that all sales cease once current contracts expire be approved, specifically as follows:
 - i) That the City permanently discontinue the practice of serving bottled water at all City facilities where potable water is available and no Supplier or Food Service Agreements exist for the sale of bottled water.

- ii) That the sale of bottled water at all City-owned facilities where it is presently sold be continued until current Supplier and Food Service Operator Agreements expire, and alternatives can be made available through an approved Capital project; and
- iii) That each City facility be retro-fitted to accommodate the appropriate alternative drinking water systems, as capital funding becomes available
- b) That the Haws Hydration Station be approved as the alternative drinking water solution to replace bottled water at all City facilities where it is presently sold, as capital funding becomes available and current Supplier and Food Service Operator Agreements expire.

"CARRIED"

Director of Community Services
Report CSAD10-001a
The Peterborough and District Farmers' Market Association
Agreement Extension

Moved by Councillor Doris

That Council approve the recommendations outlined in Report CSAD10-001a dated April 26, 2010, of the Director of Community Services, as follows:

- a) That the requested extension of the existing agreement between The City of Peterborough, The Peterborough and District Farmers' Market Association and the Peterborough Agricultural Society be referred back to staff;
- b) That a decision regarding the amount and conditions for an annual Community Service Grant for the Agricultural Society and the development of an ongoing communications regime be deferred until negotiations are completed;
- c) That staff be directed to report back to Council at the earliest possible time on the resolution of these matters.

Moved by Councillor Vass

That item b) be deleted, and that replaced with the following.

That an interim community service grant of \$20,000 be provided to the Agricultural Society, in advance of entering negotiations to determine an annual service grant, and further that the development of a communication strategy be in place between the Agricultural society and the City of Peterborough

Moved by Councillor Doris

That the Question be Put.

"CARRIED"

Upon the amending motion by Councillor Vass, this motion Lost.

Moved by Councillor Doris

That the Question be Put.

"CARRIED"

Upon the motion original motion by Councillor Doris, this motion carried.

Councillor Peeters left the meeting at 8:59 p.m. and returned to the meeting at 9:05 p.m.

Councillor Farquharson left the meeting at 9:11 p.m. and returned at 9:20 p.m.

Director of Community Services
Report CSD10-009
Award of RFP P-15-10 Basketball Courts in Simcoe & Bethune Park

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSD10-009 dated April 26, 2010 of the Director of Community Services, as follows:

- a) That the capital project budget be increased from \$210,000 to \$297,000 with funds from:
 - i) \$35,000 from the balance of the 2008 Upgrade Parks and Playgrounds budget from Public Works (Budget Reference #5-1.07);
 - ii) \$50,000 from the 2009 community assistance fund in Recreation (Budget Reference 6-1.03).
 - iii) \$2,000 increase in fund-raising
- b) That Request for Proposals Document P-15-10 for the new basketball courts and park improvements be awarded to Drain Brothers Excavating Ltd at R.R. # 2, Lakefield ON K0L 2H0 to a total cost of \$272,000, PST not applicable, and GST of \$13,600 for a total of \$285,000.
- c) That a by-law be enacted to authorize the Mayor and Clerk to sign the agreement.

Director of Community Services
Report CSD10-015
2010 Proposed Rates - Beavermead Campground

Moved by Councillor Peeters

That Council approve the recommendations outlined in Report CSD10-015 dated April 26, 2010 of the Director of Community Services, as follows:

- a) That the following recommended changes to the 2010 fees at the Beavermead Campground, exclusive of taxes be approved as follows:
 - i) Serviced family site per night from \$37.14 to \$35.00
 - ii) Un-serviced family site per night from \$31.43 to \$30.00
 - iii) Seasonal services site from \$2,000.00 to \$2,100.00
 - iv) Seasonal un-serviced site from \$1,523.81 to \$1,600.00
 - v) Group camping per person charge from \$5.71 to \$6.00
- b) That the following new user fees and rates at the Beavermead Campground, exclusive of taxes be approved as follows:
 - i) Additional Adult/night \$10.00
 - ii) Additional child/night \$5.00
 - iii) Serviced Weekly Rate \$210.00
 - iv) Un-serviced Weekly Rate \$180.00
 - v) Serviced Monthly Rate \$800.00
 - vi) Un-serviced Monthly Rate 700.00
 - vii) External Sanitary Dump (per occasion) \$15.00

Director of Community Services
Report CSRS10-003
Amendments To By-Law 07-126 (The Smoking By-Law)

Moved by Councillor Clarke

That Council approve the recommendations outlined in Report CSRS10-003 dated April 26, 2010, of the Director of Community Services, as follows:

- a) That By-law #07-126, to prohibit smoking and holding lighted tobacco products within defined City-owned outdoor public spaces, be amended as follows:
 - i) Within a 9-metre radius surrounding any public playground, beach, wading pool or splash pad, effective July 1, 2010;
 - ii) Within a 9-metre radius surrounding any sport field or Skateboard Park, effective May 1, 2011;
 - iii) Within all City parks, effective May 1, 2012.
- b) That a public campaign promoting smoke-free outdoor spaces, with emphasis on the amendments to By-Law 07-126 be undertaken, in cooperation with the Peterborough County-City Health Unit (PCCHU);
- c) That \$10,000 be drawn from the 2010 Capital Levy Reserve to fund year-one implementation; and
- d) That appropriate signage be designed and installed.

Councillor Peeters left the meeting at 9:18 p.m. and returned at 9:19 p.m.

Director of Community Services Report CSSS10-003 Community Drop-In Centre Update

Moved by Councillor Peacock

That Council approve the recommendations outlined in Report CSSS10-003 dated April 26, 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 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 staff be granted the authority to approve a one year extension conditional satisfactory performance.

"CARRIED"

Moved By Councillor Clarke

That the rules of order be suspended (Article 16.15.2) to extend the meeting past 10:00 p.m. to 10:15 p.m.

Director of Community Services
Report CSSS10-004
Peterborough Employment Resource Centre (PERC) Contract
Renewal

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report CSSS10-004 dated April 26, 2010, of the Director of Community Services, as follows:

That the PERC Contract Renewal Report be received.

"CARRIED"

Director of Utility Services Report USDIR10-005 Municipal DataWorks Project

Moved by Councillor Peacock

That Council approve the recommendation outlined in Report USDIR10-005 dated April 26, 2010, of the Director of Utility Services, as follows:

That Report USDIR10-005 be received for information.

Senior Director of Corporate Services
Report CPFRAS10-005
Quarterly Financial Report (Unaudited) As of December 31, 2009

Moved by Councillor Clarke

That Council approve the recommendations outlined in Report CPFRAS10-005 dated April 26, 2010, of the Senior Director of Corporate Services, as follows:

- a) That the December 31, 2009 Quarterly Financial Report (unaudited) attached as Appendix A to report CPFRAS10-005 be received.
- b) That a capital project for Arts, Culture and Heritage in the amount of \$10,000 be established for Municipal Cultural Planning and that the funds be transferred from the 2009 Operating Budget surplus to finance the remaining expenditures of the project.
- c) That net Transfers from reserves in the amount of \$59,212 be made as part of the year-end close, as listed in Table 1 in the report CPFRAS10-005 and summarized as follows, be approved.

Description	Reserve Name	Transfer To (Transferred From)
Portion of additional \$888,600 OMPF allocation received in March of 2010 for 2008 reconciliation		\$375,000
Airport Development Review fees excess	Airport Development Review Reserve	\$24,628
Tax Remissions	Future Assessment Loss Reserve	(\$943,043)
Chief Administrative Officer's Budget	Organizational Development Reserve	\$24,270
Peterborough Sport and Wellness Centre	PSWC Capital Conservation	\$22,059
Police Services	Various Police Reserves	\$219,865

Land Ambulance Surplus	Land Ambulance	\$134,035
	Reserve	
Emergency Hostel Surplus	Hostel Reserve (New)	\$33,974
Community Social Plan	Community Social Plan Reserve (New)	\$50,000
Total Transfers from Reserve		(\$59,212)

- d) That Capital Levy approved in previous years' capital budgets for various projects, that is no longer needed, in the amount of \$1,221,177 and as listed on Table 2 in the report CPFRAS10-005, be transferred to the Capital Levy Reserve.
- e) That the value of Tender T-38-09 for the demolition, removal and reconstruction of the Bonnerworth Fieldhouse that was awarded to Kawartha Capital Corporation, at a cost of \$169,489 (before taxes), be increased by \$16,445 to reflect change orders up to December 31, 2009, and the contingency provision within the approved Bonnerworth Washroom Capital Budget be reduced by \$16,445.
- f) That the \$1.0M budget for the Sanitary Sewer Backflow Prevention capital project approved through report PLBD05-002 Proposed Backflow Prevention Subsidy Program and Foundation Drain Disconnection Program dated September 26, 2005, be reduced by \$0.3M and the funds returned to the Flood Reduction Master Plan Sewer Surcharge Reserve to be redeployed at a later date.
- g) That the budget for Museum Renovations in the amount of \$250,000, which, in part was based on a grant from Cultural Spaces Canada, Department of Canadian Heritage in the amount of \$125,000 be reduced by \$25,000 to reflect the grant award of \$100,000 for a total project budget of \$225,000.
- h) That the Peterborough Museum & Archives proceed with the installation of a new pedestrian walkway at a cost not to exceed \$25,000, that the proposed expenditure be charged against the outstanding balance to the 2009 Capital Budget for the Museum Facility Upgrades (Project 6-3.01 Museum Facility Upgrades) and that three informal quotations be solicited to construct the proposed walkway.

Adjournment

Moved by Councillor Martin

That the meeting adjourn at 10:00 p.m.

"CARRIED"

Kevin Arjoon Deputy Clerk

> Bob Hall Chair