

The Corporation of the City of Kawartha Lakes
MINUTES
REGULAR COUNCIL MEETING

CC2017-07

Tuesday, March 7, 2017

**Closed Session Commencing at 1:00 p.m. Open Session Commencing at 2:00
p.m.**

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

MEMBERS:

Mayor Andy Letham
Councillor Isaac Breadner
Councillor Pat Dunn
Councillor Doug Elmslie
Councillor Gord James
Councillor Gerard Jilesen
Councillor Brian S. Junkin
Councillor Rob Macklem
Councillor Mary Ann Martin
Councillor Gord Miller
Councillor Patrick O'Reilly
Councillor John Pollard
Councillor Kathleen Seymour-Fagan
Councillor Heather Stauble
Councillor Stephen Strangway
Councillor Andrew Veale
Councillor Emmett Yeo

Accessible formats and communication supports are available upon request.

1. CALL TO ORDER

Mayor Letham called the Meeting to order at 1:00 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, R. Macklem, G. Miller, P. O'Reilly, J. Pollard, K. Seymour-Fagan, S. Strangway, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk J. Currins and various other staff members were also in attendance.

2. ADOPTION OF CLOSED SESSION AGENDA

CR2017-182

Moved By Councillor Strangway

Seconded By Councillor O'Reilly

RESOLVED THAT the Closed Session agenda be adopted as circulated.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST IN CLOSED SESSION ITEMS

There were no declarations of pecuniary interest noted.

4. CLOSED SESSION

CR2017-183

Moved By Councillor Macklem

Seconded By Councillor Miller

RESOLVED THAT Council convene into closed session at 1:01 p.m. in order to consider matters on the Tuesday, March 7, 2017 Closed Session Agenda and that are permitted to be discussed in a session closed to the public pursuant to Section 239(2) of the Municipal Act, S.O. 2001. S.25.

CARRIED

5. OPENING CEREMONIES

5.1 Call Open Session to Order

Mayor Letham called the Open Session of the Meeting to order at 2:00 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, R.

Macklem, G. Miller, P. O'Reilly, J. Pollard, K. Seymour-Fagan, S. Strangway, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk J. Currins and various other staff members were also in attendance.

5.2 O Canada

The Meeting was opened with the singing of 'O Canada'.

5.3 Moment of Silent Reflection

The Mayor asked those in attendance to observe a Moment of Silent Reflection and think of the victims of a recent local fire and the first responders of the municipality.

5.4 Adoption of Open Session Agenda

CR2017-187

Moved By Councillor Elmslie

Seconded By Councillor Jilesen

RESOLVED THAT the Agenda for the Open Session of the Regular Council Meeting of Tuesday, March 7, 2017, be adopted as circulated and with the following amendment:

Deletion

15.1.3 By-law to Authorize the Entering into of an Agreement for the Provision of Municipal Housing Facilities in Respect of the Investment in Affordable Housing for Ontario Program ("IAH Program") and the Social Infrastructure Funding ("SIF") with Kawartha Lakes Haliburton Housing Corporation for the Lindsay Street Project.

CARRIED

6. DISCLOSURE OF PECUNIARY INTEREST

Councillor Elmslie declared an interest in Item 10.3.2 as he is friends with the principals of the Company being awarded the tender.

7. MATTERS FROM CLOSED SESSION

CR2017-188

Moved By Councillor Strangway

Seconded By Councillor O'Reilly

RESOLVED THAT the City Solicitor and the Realty Services Division of Legal Services be directed and authorized to enter all future agreements (including renewals of existing agreements) with third party users of City-owned spaces in accordance with section 106 of the Municipal Act, 2001. Specifically and for greater certainty: to enter into agreements for the lease of City property to commercial or industrial businesses, and all for-profit entities for at least fair market value;

THAT staff be directed and authorized to enter into all future agreements (including renewals) with such individuals/businesses for the greater of fair market value and full cost recovery, inclusive of capital costs, operating costs, utilities and taxes; and

THAT staff create and advance Policy for adoption in accordance with the above.

CARRIED

The City Solicitor advised Council that a decision of the Ontario Municipal Board in Case PL120217 was issued on January 9, 2017 following a pre-hearing conference held on June 12, 2016 in the matter of the appeals of City of Kawartha Lakes Official Plan 2012 and Secondary Plans thereto. The decision in its entirety can be found on the Planning section of the City website. Staff is currently in the process of conducting discussions with some of the appellants, the content of which is confidential and without prejudice to the interests of the parties to the discussions, with the aim of narrowing or settling some of the issues on appeal. Staff anticipate that, if these discussions go well, they will be in a position to present revised Secondary Plans to the public for comment no later than June 22, 2017. Staff is targeting a statutory public meeting date of July 12, 2017 with revised plans to Council by August 23, 2017.

8. PUBLIC INFORMATION

8.1 Presentations

8.1.1 CC2017-07.8.1.1

Carlie Arbour, Economic Development Officer
Downtown Revitalization Action Plans
Item 10.3.7 on the Agenda

Carlie Arbour, Economic Development Officer provided the history and overview of the Downtown Revitalization Project. She outlined that this project has

included partnerships, highlighted new business and community leaders, developed a good consultation process, and generally participation has created a stronger community-city relationship. Four strategic plans have been developed for Lindsay, Fenelon Falls, Omemee and Coboconk/Norland with a total of 29 goals and 198 action items. Ms. Arbour noted the common themes, municipal initiatives and community initiatives. She noted the implementation is provided in greater detail within the Staff Report on the meeting agenda. She answered questions put forth by members of Council. A copy of the presentation is available in the Clerk's Office.

CR2017-189

Moved By Councillor Dunn

Seconded By Councillor Veale

RESOLVED THAT the presentation by Carlie Arbour, Economic Development Officer, regarding Downtown Revitalization Action Plans, be received.

CARRIED

8.2 Invited Guests (Quarterly Basis)

8.3 Notices and Information by Members of Council and Staff

8.3.1 Council

Councillor O'Reilly noted that the Lindsay Fairgrounds will be hosting the East Central Farm Show on March 8th and 9th and the Kawartha Lakes Home and Cottage Show on March 17, 18 and 19. The Shamrock Sprint is being held March 11th in support of the Boys and Girls Clubs of Kawartha Lakes and March 17th celebrates St. Patrick's Day.

Mayor Letham displayed a flag to mark Canada's 150th year that was given to the City from MP Jamie Schmale. It will be flown outside of City Hall. He also noted that this week is International Women's Week and tomorrow is International Women's Day. He encouraged everyone to recognize the contributions of women.

8.3.2 Staff

8.4 Notice of Motion

9. DEPUTATIONS

10. CONSENT MATTERS

The following items were requested to be extracted from the Consent Agenda:

Councillor Junkin 10.3.1

Mayor Letham 10.3.2

Councillor Breadner 10.3.5

Moved By Councillor Breadner

Seconded By Councillor Yeo

RESOLVED THAT all of the proposed resolutions shown in Section 10.1, 10.2 and 10.3 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered save and except 10.3.1, 10.3.2 and 10.3.5.

CARRIED

10.1 Correspondence

10.2 Minutes from:

10.2.1 Council

10.2.1.1 CC2017-07.10.2.1.1

Minutes, Regular Council Meeting
February 21, 2017

CR2017-190

RESOLVED THAT the Minutes of the February 21, 2017 Regular Council Meeting, be received and adopted.

CARRIED

10.2.2 Committees of Council, Advisory Boards and Task Forces

10.3 Reports

10.3.3 PUR2017-016

Debbie Ball, Buyer
Corby Purdy, Supervisory, Infrastructure Design, Construction
Tender 2017-05-CT - Construction of Concrete Sidewalks, Curbs and Gutters

CR2017-191

RESOLVED THAT Report PUR2017-016, **Tender 2017-05-CT – Construction**

of Concrete Sidewalks, Curbs and Gutters, be received;

THAT Accurex Inc. of Peterborough be selected for the award of Tender 2017-05-CT - Construction of Concrete Sidewalks, Curbs and Gutters for the tender price, of \$360,684.56 plus HST;

THAT Project 98983161200 (RD1612) Sidewalk Replacement be closed with the remaining balance \$259,017 to the Capital Projects Reserve;

THAT Project 98983170900 (RD1709) Sidewalk Replacement be increased by an additional \$259,017 of funding from the Capital Projects Reserve;

THAT subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement to award Tender 2017-05-CT; and

THAT Purchasing Division be authorized to issue a purchase order.

CARRIED

10.3.4 PUR2017-019

Debbie Ball, Buyer

Todd Bryant, Manager, Fleet and Transit Services

Tender 2013-114-OT - Supply and Delivery of Gasoline, Clear and Coloured Diesel Fuel (Co-operative)

Completion of Initial Term of the Contract and Option to Enter into Four Year Extension with Suncor Energy Products Partnership of Mississauga

CR2017-192

RESOLVED THAT Report PUR2017-019 for, **Tender 2013-114-OT - Supply and Delivery of Gasoline, Clear and Coloured Diesel Fuel, Completion of Initial Term of the Contract and Option to enter into Four Year Extension**, be received;

THAT Suncor Energy Products Partnership of Mississauga be approved for the award of the four year extension of the contract for Tender 2013-114-OT for the supply and delivery of gasoline, clear and coloured diesel fuel to City locations, based on the Toronto Rack Pricing plus a unit cost per litre for delivery to each location for a four year term, expiring March 31, 2021; and

THAT Purchasing Division be authorized to issue a Purchase Order for each operating year over the four year term.

CARRIED

10.3.6 ED2017-003

Debra Soule, Arts, Culture and Heritage Economic Development Officer
Arts, Culture and Heritage Committee of Council Alternative

CR2017-193

RESOLVED THAT Report ED2017-003, **Arts, Culture and Heritage Committee of Council Alternative**, be received;

THAT staff be directed to establish a Cultural Roundtable as a process for supporting the City's leadership in the development of the cultural sector and to inform and assist in the implementation of the Cultural Master Plan and the Heritage Master Plan; and

THAT the Terms of Reference for the City of Kawartha Lakes Cultural Roundtable as outlined in Appendix E to Report ED2017-003, be approved.

CARRIED

10.3.7 ED2017-005

Carlie Arbour, Economic Development Officer
Downtown Revitalization Action Plans

CR2017-194

RESOLVED THAT Report ED2017-005, **Downtown Revitalization Update and Action Plans**, be received;

THAT the Downtown Revitalization Action Plans for Coboconk-Norland, Fenelon Falls, Lindsay and Omemee, as outlined in Appendices A to D respectively to Report ED2017-005, be approved;

THAT financial considerations for projects beyond those already identified in existing budgets and work plans be incorporated in future budgets for consideration;

THAT a Downtown Revitalization Committee of Council be established with representation including each community that has a completed Downtown Revitalization Plan; and

THAT staff develop the Terms of Reference for the Downtown Revitalization Committee and forward to Council for approval.

CARRIED

10.3.8 WWW2017-002

Julie Henry, Quality Management and Policy Coordinator, Water and Wastewater Division

Ontario Water/Wastewater Agency Response Network Mutual Aid Agreement

CR2017-195

RESOLVED THAT Report WWW2017-002, Ontario Water/Wastewater Agency Response Network Mutual Aid Agreement, be received;

THAT membership with the Ontario Water/Wastewater Agency Response Network, be approved;

THAT the Mayor and Clerk be authorized to sign the Mutual Aid Assistance Agreement for an Ontario Water/Wastewater Agency Response Network (OnWARN) attached as Appendix B to Report WWW2017-002; and

THAT a By-law, substantially in the form attached as Appendix A to Report WWW2017-002 be forwarded to Council for adoption.

CARRIED

10.4 Items Extracted from Consent

10.3.1 PUR2017-005

Karen Buckley, Buyer

Ron Raymer, Assistant Fire Chief

2016-87-CP Design Build a New Fire Hall in Bethany

CR2017-196

Moved By Councillor James

Seconded By Councillor Strangway

RESOLVED THAT Report PUR2017-005, **2016-87-CP Design Build a New Fire Hall in Bethany**, be received;

THAT Mark V. Wilson Construction and Engineering of Lindsay, being the highest scoring proponent, be selected for the award of Request for Proposal 2016-87-CP Design Build a New Fire Hall in Bethany for a proposed cost of \$972,440.00, plus HST;

THAT capital project 932140801 (FS1408) Replace Bethany Fire Hall be closed and its expenditures and funding be incorporated into capital project 932170201 (FS1702) Bethany Fire Station Replacement;

THAT the current approved Development Charges Funding be increased by \$25,000 to a revised total of \$360,000 and the total approved Tax Levy be

reduced by \$25,000 to a revised total of \$640,000 and transferred to the Fleet Fire Reserve;

THAT subject to the receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award RFP 2016-87-CP; and

THAT the Purchasing Division be authorized to issue a purchase order.

CARRIED

10.3.2 PUR2017-014

Debbie Ball, Buyer

Amber Hayter, Supervisor Water/Wastewater Operations

Tenders for the Supply and Delivery of Chemicals for the Lindsay Water Treatment Plant and Thornhill Road Reservoir

- Tender 2017-16-OT - Magnafloc
- Tender 2017-18-OT - Sodium Hydroxide
- Tender 2017-19-OT - Sodium Hypochlorite

Councillor Elmslie left the Council Chambers due to his previously declared interest in the matter.

CR2017-197

Moved By Councillor Yeo

Seconded By Councillor James

RESOLVED THAT Report PUR2017-014, **Supply and Delivery of Chemicals for the Lindsay Water Treatment Plant and Thornhill Road Reservoir**, under three tenders being:

- Tender 2017-16-OT – Magnafloc
- Tender 2017-18-OT – Sodium Hydroxide
- Tender 2017-19-OT – Sodium Hypochlorite

be received;

THAT Northland Chemical Inc. of Mississauga be selected for the award of Tender 2017-16-OT for the Supply and Delivery of Magnafloc to the Lindsay Water Treatment Plant at the tender price of \$6.95 plus HST per dry kilogram;

THAT PVS Benson of Freelon be selected for the award of Tender 2017-18-OT for the Supply and Delivery of Sodium Hydroxide to the Lindsay Water Treatment Plant at the tender price of \$0.444 plus HST per liquid kilogram;

THAT Dutch Products Inc. of Toronto be selected for the award of Tender 2017-19-OT Supply and Delivery of Sodium Hypochlorite to the Lindsay Water Treatment Plant and Thornhill Road Reservoir for the tender price of \$0.235 plus HST per litre;

THAT subject to receipt of the required documents, a purchase order be created to award Tenders 2017-16-OT, 2017-18-OT and 2017-19-OT to the respective companies; and

THAT under the same terms and conditions, the Purchasing Division may issue an annual purchase order to each company (Northland Chemical Inc., PVS Benson, and Dutch Products Inc.), for each of the two remaining years provided any increase in unit cost does not exceed posted market CPI rate.

CARRIED

Councillor Elmslie returned to the Council Chambers.

10.3.5 ENG2017-004

Christina Sisson, Supervisor, Development Engineering
Ministry of the Environment and Climate Change Transfer of Review Agreement - Request for Execution

CR2017-198

Moved By Councillor Breadner

Seconded By Councillor Yeo

RESOLVED THAT Report ENG2017-004, **Ministry of the Environment and Climate Change Transfer of Review Agreement – Request for Execution**, be received;

THAT the Ministry of the Environment and Climate Change Transfer of Review Agreement be approved for execution; and

THAT the Director of Engineering and Corporate Assets be authorized to execute the agreement to facilitate the City of Kawartha Lakes engaging in the review of municipal works as provided for in the agreement.

CARRIED

11. COMMITTEE OF THE WHOLE

12. COMMITTEE OF THE WHOLE AND PLANNING COMMITTEE MINUTES

13. CORRESPONDENCE AND PETITIONS

14. OTHER OR NEW BUSINESS

15. BY-LAWS

The mover requested the consent of Council to read the by-laws by number only.

Moved By Councillor Pollard

Seconded By Councillor Junkin

RESOLVED THAT the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.6, save and except Item 15.1.3, be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

CARRIED

15.1 By-Laws by Consent

15.1.1 CR2017-199

By-law to Authorize the Sale of Municipally Owned Property Legally Described as Part of E 1/2 Lot 24, Concession 6, in the Former Geographic Township of Ops, City of Kawartha Lakes, designated as Part 3 on Plan 57R-10569, being Part of PIN: 63209-0076 (LT) (Ward 10, Simpson Road)

15.1.2 CR2017-200

By-law to Authorize the Execution of an Agreement Between Her Majesty the Queen in Right of Ontario as Represented by the Minister of Municipal Affairs (the "Province") and the Corporation of the City of Kawartha Lakes (the "Recipient") for the National Disaster Mitigation Program Agreement

15.1.4 CR2017-201

By-law to Authorize the Execution of an Agreement Between Her Majesty the Queen in Right of Ontario as Represented by the Minister of Economic Development and Growth and the Corporation of the City of Kawartha Lakes for Starter Company Plus Grant Agreement

15.1.5 CR2017-202

By-law to Authorize the Execution of an Agreement Between the Corporation of the City of Kawartha Lakes and the Ontario Water Wastewater Agency Response Network

15.1.6 CR2017-203

By-law to Repeal By-law 2015-052 being a By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes and By-law 2015-053 being a By-law to Appoint a Weed Inspector for the City of Kawartha Lakes

15.2 By-Laws Extracted from Consent

By-law 15.1.3 was removed with the adoption of the agenda.

16. CLOSED SESSION (IF NOT COMPLETED PRIOR TO OPEN SESSION)

17. MATTERS FROM CLOSED SESSION

18. CONFIRMING BY-LAW

CR2017-204

Moved By Councillor James

Seconded By Councillor Veale

RESOLVED THAT a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, March 7, 2017 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

CARRIED

19. ADJOURNMENT

CR2017-205

Moved By Councillor Yeo

Seconded By Councillor Macklem

RESOLVED THAT the Regular Council Meeting adjourn at 2:33 p.m.

CARRIED

Read and adopted this 21st day of March, 2017.

Andy Letham, Mayor

Judy Currins, City Clerk