

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

CC2017-010

Tuesday, April 4, 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 1:30 p.m. Councillors I. Breadner, P. Dunn, G. James, G. Jilesen, B. Junkin, R. Macklem, M.A. Martin, G. Miller, P. O'Reilly, J. Pollard, H. Stauble, and A. Veale were in attendance.

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

Late Arrival: Councillor E. Yeo 1:36 p.m.

2. ADOPTION OF CLOSED SESSION AGENDA

CR2017-268

Moved By Councillor Martin

Seconded By Councillor Pollard

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

CR2017-269

Moved By Councillor Dunn

Seconded By Councillor Breadner

RESOLVED THAT Council convene into closed session at 1:31 p.m. in order to consider matters on the Tuesday, April 4, 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, G. James, G. Jilesen, B. Junkin, R. Macklem, M.A. Martin, G. Miller, P. O'Reilly, J. Pollard, H. Stauble, 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.

5.4 Adoption of Open Session Agenda

CR2017-274

Moved By Councillor Stauble

Seconded By Councillor Martin

RESOLVED THAT the Agenda for the Open Session of the Regular Council Meeting of Tuesday, April 4, 2017, be adopted as circulated and with the following amendments:

Additions:

10.1.5 Barry Baxter, President, Kawartha Lakes Haliburton Federation of Agriculture
Farm Land Tax Rate
(Item 10.3.1 on the Agenda)

CARRIED

6. DISCLOSURE OF PECUNIARY INTEREST

There were no declarations of pecuniary interest noted.

7. MATTERS FROM CLOSED SESSION

Item 4.2U

CR2017-275

Moved By Councillor Pollard

Seconded By Councillor Martin

RESOLVED THAT an exemption to Sections 8.01 and 8.03 of the City Purchasing Policy, be approved, for the purpose of entering into a lease agreement at 24 King Street East, Omemee, ON to relocate the Omemee Public Library.

CARRIED

Item 4.3

CR2017-276

Moved By Councillor James

Seconded By Councillor O'Reilly

RESOLVED THAT, as further direction to that part of Council Resolutions CR2016-591 and CR2016-599, which stated “the City Treasurer be directed to pay Ron Robinson Ltd. in the amount of \$446,125.40 in exchange for full settlement of Court File Number CV-10-101541-00 and CV-14-505340 on a without-cost basis”, Council more specifically direct the City Treasurer as follows:

- Payments will be made as follows:
- \$446,105.40 will be paid to Ron Robinson Limited from the DC Reserve (\$38,258.37 of which will be paid from the water distribution DC reserve account; the balance of \$407,847.03 will be paid out of the sewage collection DC reserve account);
- \$100,968.97 will be paid from the sewage collection DC reserve account to the revenue line of the 2017 Operating Budget for the Risk Management division 11420.48110) to offset the 2017 Operating budget of the Risk Management division for costs incurred in previous years;

All credits owing to Ron Robinson Limited will have been cashed by the above actions; no further amounts are owing and the Manager of Corporate Assets is directed to amend the DC Reserve Fund Reconciliation.

CARRIED

8. PUBLIC INFORMATION

8.1 Presentations

8.2 Invited Guests (Quarterly Basis)

8.3 Notices and Information by Members of Council and Staff

8.3.1 Council

Councillor Stauble advised that a food drive Fill-A-Bus will take place on April 8 from 9 a.m. to 1 p.m. in front of Food Basics with food donations for Kawartha Lakes Food Source. The City Transit Department will be sponsoring this effort.

Councillor Junkin noted that the Kawartha Promoter will be distributed throughout Kawartha Lakes by Canada Post starting in April. This was made possible through funding from CFDC.

Councillor O'Reilly made the following announcements:

- at the LEX – Kawartha Sportsman Show on April 7, 8 and 9th
- at the LEX – H.B. Cycle Trailer Show and Sale on April 22 and 23rd
- There will be a Vimy Dinner on Sunday April 9th at 6:00 p.m. at the Lindsay Royal Canadian Legion to commemorate the 100th Anniversary
- The Strumbella's performed at the Juno's last Sunday and won Song of the Year

- The Enforcers are playing at the Armouries on April 22nd for a fundraising event for the Big Brothers and Big Sisters of Kawartha Lakes

Mayor Letham announced that a Spaghetti Dinner is being held at the Janetville Community Centre on April 8th.

8.3.2 Staff

8.4 Notice of Motion

9. DEPUTATIONS

9.1 CC2017-010.9.1

Paul Brown, Chair, Agricultural Development Advisory Board
Farm Land Tax Rate

Paul Brown, Chair of the Agricultural Advisory Committee addressed Council about the farm land tax ratios proposed within the Report on the Agenda. He reiterated the position of the Committee and requested that Council reduce the tax ratio to 20%, phased in over 4 years, to mitigate the effects of the recent increases in farm assessments. Mr. Brown noted that the agricultural sector is sensitive to expense increases. He asked Council for their consideration of this request.

CR2017-277

Moved By Councillor Junkin

Seconded By Councillor Stauble

RESOLVED THAT the deputation of Paul Brown, Chair of the Agricultural Development Advisory Board regarding Farm Land Tax Rate, be received.

CARRIED

9.2 CC2017-010.9.2

Barry Baxter, President, Kawartha Lakes-Haliburton Federation of Agriculture
Ben LeFort, Senior Farm Policy Analyst, OFA
Farm Land Tax Rate

Mr. Barry Baxter, President of the Kawartha Lakes-Haliburton Federation of Agriculture introduced Mr. Ben LeFort, Senior Farm Policy Analyst with the Ontario Federation of Agriculture who provided an overview of the impact of tax ratios on the sector. He reviewed the impact on farm taxes and asked that the farm ratio result in no greater proportion of taxes being paid by the farm taxpayers. He asked that the ratio be decreased and phased in over four years. . Farmers worry that it is an ever ending cycle of changing assessments. The

Federation is willing to work with municipalities and open discussions to come up with a solution.

CR2017-278

Moved By Councillor Stauble

Seconded By Councillor Veale

RESOLVED THAT the deputation of Barry Baxter, President, Kawartha Lakes-Haliburton Federation of Agriculture and Ben LeFort, Senior Farm Policy Analyst, Ontario Federation of Agriculture regarding Farm Land Tax Rate, be received.

CARRIED

10. CONSENT MATTERS

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

Councillor Breadner Item 10.1.2

Mayor Letham Item 10.3.1

Councillor Pollard Item 10.3.4

Moved By Councillor Veale

Seconded By Councillor O'Reilly

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 10.1.2, 10.3.1 and 10.3.4.

CARRIED

10.1 Correspondence

10.1.1 CC2017-010.10.1.1

Memorandum

Agricultural Development Advisory Board

Farm Land Tax Rate

CR2017-279

RESOLVED THAT the April 4, 2017 Memorandum from Agricultural Development Advisory Board, regarding farmland tax rate, be received.

CARRIED

10.1.3 CC2017-010.10.1.3

Lois Batty, President, Victoria Beef Farmers
Farm Land Tax Rate

CR2017-280

RESOLVED THAT the March 24, 2017 correspondence from Lois Batty, President, Victoria Beef Farmers, regarding farm land tax rate, be received.

CARRIED

10.1.4 CC2017-010.10.1.4

Scott Robertson, Executive Director, Boys and Girls Clubs of Kawartha Lakes
Request for Relief from Providing Securities Associated with Site Plan

CR2017-281

RESOLVED THAT the March 22, 2017, correspondence from Scott Robertson, Executive Director, Boys and Girls Club Kawartha Lakes, regarding a Request for Relief from Providing Securities Associated with Site Plan, be received and referred to staff for report back to Council on April 18, 2017.

CARRIED

10.1.5 CC2017-011.10.1.5

Barry Baxter, President, Kawartha Lakes Haliburton Federation of Agriculture
Farm Land Tax Rate

CR2017-282

RESOLVED THAT the correspondence from Barry Baxter, President, Kawartha Lakes Federation of Agriculture, regarding Farm Land Tax Rate, be received.

CARRIED

10.2 Minutes from:

10.2.1 Council

10.2.1.1 CC2017-010.10.2.1.1

Minutes, Regular Council Meeting
March 21, 2017

CR2017-283

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

CARRIED

10.2.2 Committees of Council, Advisory Boards and Task Forces

10.3 Reports

10.3.2 PUR2017-027

Karen Buckley, Buyer
Richard Monaghan, Sr. Engineering Technician
Tender 2017-36-OT Shoulder Gravel Rehabilitation on Specified Roads

CR2017-284

RESOLVED THAT Report PUR2017-027, **Tender 2017-36-OT Shoulder Gravel Rehabilitation on Specified Roads**, be received;

THAT Drain Bros. Excavating Limited of Douro-Dummer be selected for the award of Tender 2017-36-OT Shoulder Gravel Rehabilitation on Specified Roads, for the tender price of \$183,400.00, net HST;

THAT subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award Tender 2017-36-OT Shoulder Gravel Rehabilitation on Specified Roads; and

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

CARRIED

10.3.3 PUR2017-028

Karen Buckley, Buyer
Richard Monaghan, Sr. Engineering Technician
Tender 2017-40-OT Street Sweeping Services

CR2017-285

RESOLVED THAT Report PUR2017-028, **Tender 2017-40-OT Street Sweeping Services**, be received;

THAT Bruell Contracting Limited of Toronto be selected for the award of Tender 2017-40-OT for the tender price of \$155,925.00, plus HST;

THAT subject to the receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award Tender 2017-40-OT Street Sweeping Services; and

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

CARRIED

10.3.5 HH2017-001

Hope Lee, Manager of Housing
New Affordable Housing and Human Services Offices – Municipal Incentives

CR2017-286

RESOLVED THAT Report HH2017-001, **New Affordable Housing and Human**

Services Offices – Municipal Incentives, be received;

THAT an exemption be provided for any and all municipal fees and charges including, but not limited to Site Plan Process, Building Permit Fees, Landfill Tipping Fees, Development Application Approval Process (DAAP) Fees, Service Connection Fees and Entrance Permit for the development of both the Affordable Housing and Human Services Office components of the new build at the corner of Lindsay and Queen Streets in Lindsay;

THAT the affordable housing exemptions are provided through a Municipal Housing Facilities Agreement (MHFA) and Bylaw included as Attachment A to Report HH2017-001;

THAT Landfill Tipping Fees are provided through an exemption to Section 5.01 of By-Law 2016-144;

THAT Service Connection are provided through an exemption to Section 23.01 of By-Law 2011-260;

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval decision; and

THAT a By-law, substantially in the form attached as Attachment A to Report HH2017-001 be forwarded to Council for adoption.

CARRIED

10.3.6 MLE2017-003

Aaron Sloan, Manager of Municipal Law Enforcement
Prohibited and Timed Parking Areas

CR2017-287

RESOLVED THAT Report MLE2017-003, **Amendments to the Parking By-law 2012-173**, be received;

THAT the Parking By-law 2012-173, be amended to include the addition of a 3 hour time limited parking area on William St. S. in Lindsay on the east side from a point south of Russell Street approximately 89 metres;

THAT the Parking By-law 2012-173, Schedule "A" be amended to include a prohibited parking area on Mary Street West in Lindsay on the south side of the road from McQuarrie Road west to a point 130 metres between the hours of 8:00 a.m. and 11:00 a.m. and between 2:00 p.m. and 4:00 p.m. Monday to Friday;

THAT the Parking By-law 2012-173, Schedule "A" be amended to include a prohibited parking area on Mary Street West in Lindsay on the north side of the road from Angeline Street to a point west 73 metres;

THAT the Parking By-law 2012-173, Schedule "A" be amended to include a prohibited parking area on Kent Street West in Lindsay on the south side from Angeline Street east to Victoria Avenue;

THAT the Parking By-law 2012-173, Schedule “A” be amended to include a prohibited parking area on both sides of Pottinger Street in Lindsay from Adelaide Street to a point west until the end of the roadway, between the hours of 8:00 a.m. and 11:00 a.m. and between 2:00 p.m. and 4:00 p.m. Monday to Friday; and

THAT the amended By-Law be forwarded to Council for adoption.

CARRIED

10.4 Items Extracted from Consent

10.1.2 CC2017-010.10.1.2

Memorandum

Kelly Maloney, Economic Development Officer – Agriculture
Hunting and Trapping Options in Rural and Urban Areas

CR2017-288

Moved By Councillor Breadner

Seconded By Councillor Yeo

RESOLVED THAT the April 4, 2017 Memorandum from Kelly Maloney, Economic Development Officer - Agriculture, regarding Hunting and Trapping Options in Rural and Urban Areas, be received; and

THAT staff provide a report with further detail on the costs associated with an urban trapping program as well as Preventative measures and ways of deterring coyotes in urban areas.

CARRIED

10.3.1 CORP2017-005

Christine Norris, Manager, Revenue and Taxation/Deputy Treasurer
2017 Tax Policy Decisions

CR2017-289

Moved By Councillor Miller

Seconded By Councillor Yeo

RESOLVED THAT Report CORP2017-005, **2017 Tax Policy Decisions**, be received;

THAT optional property classes for the 2017 tax year are not adopted;

THAT for 2017 the tax rate reduction for vacant and excess land be set as follows:

Commercial: 30%

Industrial: 35%

THAT for 2017 the tax rate reduction First Class Undeveloped Farm Land be set at 45%;

THAT staff investigate the impact of eliminating, or reducing, the tax reduction factor for vacant and excess land in the commercial and industrial property classes effective 2018, reporting back to Council on the results in the Q4 2017;

THAT the City of Kawartha Lakes implement capping and threshold parameters as shown below:

Commercial	Industrial	
10%	10%	Annualized Tax limit
10%	10%	Prior Year's CVA Tax Limit
500	500	CVA Tax Threshold for protected properties (Increasers) (\$0 to \$500) and/or
500	500	CVA Tax Threshold for clawed back properties (Decreasers) (\$0 to \$500)
*	*	Properties that were at CVA Tax in 2016 or that would cross over CVA Tax in 2017 are to be excluded from capping.

THAT the decrease clawback parameters for 2017 be set as shown below;

Multi-Residential: 0%

Commercial: 0%

Industrial: 0%

THAT the commercial tax ratio be applied to the landfill property class;

THAT revenue neutral tax ratios for the multi-residential, commercial, industrial and pipeline broad property classes be adopted for 2017; and

THAT the necessary By-laws be forwarded to Council for adoption.

CARRIED

Moved By Councillor Stauble

Seconded By Councillor Martin

RESOLVED THAT the farmland tax rate be reduced from 25% to 20% of the Residential Rate in an incremental fashion with a reduction of one and a quarter

percent (1.25%) each year over four years, aligning with the phase in of the increased assessment values faced by farmers due to increasing land costs. This would provide for a 23.75% rate in 2017, 22.50% in 2018, 21.25% in 2019 and 20% in 2020; and

THAT the necessary By-laws be forwarded to Council for adoption.

A recorded vote was requested by Councillor Stauble.

Recorded	For	Against	Absent
Mayor Letham		X	
Councillor Breadner		X	
Councillor Dunn		X	
Councillor Elmslie			X
Councillor James	X		
Councillor Jilesen	X		
Councillor Junkin		X	
Councillor Macklem	X		
Councillor Martin	X		
Councillor Miller		X	
Councillor O'Reilly		X	
Councillor Pollard		X	
Councillor Seymour-Fagan			X
Councillor Stauble	X		
Councillor Strangway			X
Councillor Veale		X	
Councillor Yeo		X	
Results	5	9	3

MOTION FAILED

10.3.4 PUR2017-029

Debbie Ball, Buyer
Corby Purdy, Supervisor/Infrastructure, Design, Construction
Tender 2017-17-CT Replacement of Centennial Park Road Bridge

CR2017-290

Moved By Councillor Pollard

Seconded By Councillor Jilesen

RESOLVED THAT Report PUR2017-029, **Tender 2017-17-CT - Replacement of Centennial Park Road Bridge**, be received;

THAT Four Brothers Construction of Woodville, be selected for the award of Tender 2017-17-CT for Replacement of Centennial Park Road Bridge for the tender price of \$218,893.00, plus HST;

THAT DM Wills Associates Ltd. be selected for the single source award for contract administration and inspection in the amount of \$29,840.00 plus HST;

THAT subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement to award this tender; and

THAT Purchasing Division be authorized to issue a Purchase Order.

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 Martin

Seconded By Councillor Stauble

RESOLVED THAT the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.5 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 CR2017-291

A By-law to Authorize the Imposition of Special Charges Relating to the Septic Rehabilitation Loan Program on 306 Forest Harbour Trail, Bobcaygeon, in the City of Kawartha Lakes

15.1.2 CR2017-292

A 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

15.1.3 CR2017-293

A By-law to Establish and Assume a Parcel of Land Legally Described as Lot 61 RCP 547 as Part of Sun Valley Road, in the Township of Mariposa, City of Kawartha Lakes, being PIN: 63194-0318(LT)

15.1.4 CR2017-294

A By-law to Repeal By-law 2007-024 Being a By-law Dealing with Collection, Removal and Disposal of Solid Waste within the City of Kawartha Lakes

15.1.5 CR2017-295

A By-law to Authorize the Execution of a Letter of Agreement Between Her Majesty in Right of the Province of Ontario as represented by the Minister of Economic Development and Growth for the Province of Ontario (the "Ministry") and the Corporation of the City of Kawartha Lakes Related to Funding Provided by the Province of Ontario for the Summer Company Program

15.2 By-Laws Extracted from Consent

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

17. MATTERS FROM CLOSED SESSION

18. CONFIRMING BY-LAW

CR2017-296

Moved By Councillor Macklem

Seconded By Councillor Yeo

RESOLVED THAT a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, April 4, 2017 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

CARRIED

19. ADJOURNMENT

CR2017-297

Moved By Councillor Veale

Seconded By Councillor James

RESOLVED THAT the Regular Council Meeting adjourn at 2:54 p.m.

CARRIED

Read and adopted this 18th day of April, 2017.

Andy Letham, Mayor

Judy Currins, City Clerk