



**MINUTES
OWEN SOUND CITY COUNCIL
REGULAR MEETING
November 3, 2008
6:45 P.M.. - IN CAMERA -7:00 P.M. - REGULAR MEETING**

MEMBERS PRESENT: Mayor Ruth Lovell Stanners
City/County Councillor Arlene Wright
Councillor David Adair
Councillor John Christie
Councillor Deborah Haswell
Councillor Peter Lemon
Councillor Jim McManaman
Councillor Tom Pink
Councilor Bill Twaddle

MEMBERS
ABSENT/REGRETS: Councillor David Adair

STAFF PRESENT: Jim Harrold, City Manager
Wayne Ritchie, Director of Financial Services
John Johnston, Director of Operations
Pam Coulter, Director of Community Services
Glen Henry, Director of Corporate Services
Marion Koepke, City Clerk
Lois O'Neill, Deputy City Clerk

1. **RESOLUTION TO MOVE IN CAMERA**

Moved by Councillor D. Haswell
Seconded by Councillor T. Pink

"THAT City Council now move In Camera to consider personal matters about an identifiable individual including municipal or local board employees; a proposed or pending acquisition of land by the municipality or local board; and litigation or potential litigation including matters before administrative tribunals, affecting the municipality or local board."

Carried unanimously.

2. **DECLARATION TO MOVE TO THE REGULAR MEETING**

The business of the In Camera meeting having been completed, Mayor Lovell Stanners adjourned the meeting and Council moved to the Regular meeting to consider the matters listed on the November 3, 2008 Agenda and other business.

3. **LORDS PRAYER**

The meeting convened with the recital of the Lord's Prayer.

4. ADDITIONAL ITEMS

The following items were added to the Agenda to be considered under Item 13, Other Business:

- a) Councillor J. Christie Re: Coffee with the Councillor.
- b) Councillor A. Wright Re: Court Security and AMO.
- c) City Clerk Re: Deputation from the Art Gallery Director Re: Festival of Colours.
- d) Director of Community Services Re: Access Agreement.
- e) City Manager Re: Infrastructure Funding.

5. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest.

6. CONFIRMATION OF MINUTES

Moved by Councillor D. Haswell
Seconded by Councillor T. Pink

"THAT the minutes of the regular meeting of City Council held on October 22, 2008 as printed, be adopted."

Carried unanimously.

7. RESOLUTION MOVING COUNCIL INTO COMMITTEE OF THE WHOLE TO CONSIDER PUBLIC MEETINGS, DEPUTATIONS, PUBLIC QUESTION PERIOD, MATTERS ARISING FROM CORRESPONDENCE, REPORTS, MATTERS TABLED, MOTIONS FOR WHICH NOTICE WAS PREVIOUSLY GIVEN AND OTHER BUSINESS.

Moved by Councillor D. Haswell
Seconded by Councillor T. Pink

"THAT City Council now go into Committee of the Whole to consider public meetings, deputations, public question period, matters arising from correspondence, reports, matters tabled, motions for which notice was previously given and other business."

Carried unanimously.

COMMITTEE OF THE WHOLE

8. PUBLIC MEETINGS

There were no public meetings.

9. DEPUTATIONS

a) YOUTH DEPUTATIONS

There were no youth deputations.

b) **OTHER DEPUTATIONS**

1. Stuart Reid, Art Gallery Director Re: Festival of Colour Exhibit at Tom Thomson Art Gallery and Owen Sound & North Grey Union Public Library.

Stuart Reid, Art Gallery Director, informed Council that from November 14, 2008 to January 4, 2009 the Tom Thomson Art Gallery and the Owen Sound & North Grey Union Public Library will be presenting Festival of Colour which is a special display of 500 hand-painted paper lanterns by the children of Taiyuan County in Taiwan. The opening of the display will coincide with the kick off of the annual Festival of Northern Lights. The display of these paper lanterns was made possible through the Taipei Economic and Cultural Office, Toronto and support from Celebrate Ontario through the City of Owen Sound.

2. Kiwanis Club of Owen Sound President, Eric Crose and Past President, Jed Phillips Re: Harrison Park Accessible Playground Partnership.

The Director of Community Services provided Council with a presentation on the recognized need for an accessible playground at Harrison Park and the playground design prepared by Northwood Associates Landscape Architects. Last year a working group was struck between the City of Owen Sound and the Kiwanis Club of Owen Sound to investigate the creation of an accessible playground at Harrison Park. The idea behind an accessible playground is that it be integrating and accessible to persons of all ages and abilities. Ms. Coulter introduced Eric Crose, President and Jed Phillips, Past President of the Kiwanis Club of Owen Sound. Mr. Phillips provided Council with a summary of the history and activities of the Kiwanis Club in Owen Sound. They are pleased to be able to partner with the City in the creation of a fully accessible playground.

Moved by Councillor J. McManaman

"THAT City Council hereby approves Items 8d) contained within the Recreation and Parks Advisory Committee minutes of October 9, 2008 and approves in principle a partnership with the Kiwanis Club of Owen Sound for a new Accessible Playground at Harrison Park based on the previously approved design by Northwood Associates Landscape Architects in the amount of \$300,000.00, with \$150,000.00 funding from the City and \$150,000.00 from the Kiwanis Club, as a high priority project with details on the partnership agreement and terms to come forward to City Council."

Carried unanimously.

3. Ann Kelly Re: Festival of Northern Lights.

Ann Kelly, Chair of the Festival of Northern Lights Committee, provided an update on the success of the Festival of Northern Lights. She highlighted accomplishments for the 2009 festival and new initiatives taking place. Last year there were 36 new displays and there is expected to be another 50 this year. Sponsorships have again been obtained from Hydro One and Reids Heritage Homes. Recognition and appreciation was extended to the numerous volunteers involved with the Festival of Northern Lights. Council was invited to attend the Festival Gala on November 29, 2008 at the Bayshore Community Centre.

10. PUBLIC QUESTION PERIOD

There were no questions.

11. CORRESPONDENCE RECEIVED FOR WHICH DIRECTION OF COUNCIL IS REQUIRED

There were no correspondence items presented.

12. REPORTS OF COMMITTEES AND CITY STAFF MATTERS TABLED AND MOTIONS FOR WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN

a) Consent Agenda Items:

1. Minutes of Boards and Committees for Receipt:

- a. Owen Sound Housing Company Limited Meeting held on September 15, 2008.
- b. Owen Sound Municipal Non-Profit Housing Corporation Meeting held on September 15, 2008.
- c. Owen Sound Housing Company Limited Annual Meeting held on October 15, 2007.
- d. Owen Sound Municipal Non-Profit Housing Corporation Annual Meeting held on October 15, 2007.
- e. Owen Sound Police Services Board Public Meeting held on October 15, 2008.

2. Correspondence received which is presented for the information of Council.

- a) Activities of Mayor Lovell for October 6 to November 2, 2008.
- b) Correspondence from the Ontario Human Rights Commission Re: Transit Stop Announcements.
- c) Correspondence from the Ministry of Citizenship and Immigration Re: Ontario's Volunteer Recognition Programs.
- d) Correspondence from the Minister of Energy and Infrastructure Re: Heritage Preservation.
- e) Correspondence from the Minister of Finance Re: The Corporation of the City of Owen Sound's Resolution Respecting a Retail Sales Tax (RST) Exemption for Ontario Municipalities.
- f) Correspondence from The Premier of Ontario Re: Owen Sound Council's Resolution Regarding a Provincial Sales Tax Exemption for Municipalities.
- g) Correspondence from the Ontario Power Generation Re: Semi-Annual Performance Report.
- h) Committee of Adjustment Notice of Appeal Against Notice of Decision Re: Application by Barry's Construction and Insulation for a minor variance A21/2008.
- i) Committee of Adjustment Notice of Appeal Against Notice of Decision Re: Application by Barry's Construction and Insulation for consent B11, B12, B13/2008.
- j) SUMMARY OF RELEASES AND REPORTS:
 - Ministry of Municipal Affairs and Housing e-newsletter Re: Update for October 2008.
 - AMO Counties, Regions and Single Tier Municipalities (CRST) Re: Program at a Glance and Registration Form.
 - LAS - CRST Conference Re: One Day Energy Workshop.
 - LAS Communication, FYI No. 08-006 Re: LAS Municipal Energy Management Benchmarking Project.

- LAS Program Announcement Re: New Group Benefits Program for Elected Officials.
- OTC Invitation Re: Transportation Impact Study Workshop, Nov. 26, 2008.
- Ontario West Municipal Conference Climate Change: Municipal Impacts and Challenges Re: Agendas Now Available.
- Owen Sound and District Chamber of Commerce Invitation Re: Redchair Branding Boot Camp Breakfast.
- City of Owen Sound's Resolution of Support Responses Re: PST Exemption for Ontario Municipalities and Police Services.
- Grey Bruce Health Unit News Feature & 2008 Community Flu Clinic Schedule Re: Protect Yourself, Protect Others.
- Grey Bruce Health Unit News Release Re: Contract Agreement with Ontario Nurses Association Local 004.
- Grey Bruce Health Unit News Release Re: Childhood Obesity One Issue Two Solutions.
- Owen Sound Marine and Rail Museum and Billy Bishop Home and Museum Media Release Re: Upcoming Holiday Programs and Workshops.
- Owen Sound Library Media Release Re: The Great Annual Library Book Sale.
- Owen Sound Library Media Release Re: Library Announces First Major Donor in Library Makeover: Kids' Edition Campaign.
- City of Owen Sound Public Notice Re: Stopped Up and Closed Road Allowance for Sale - Public Comments will be received November 17, 2008 at Council.
- City of Owen Sound Media Release Re: Welcome Home the Chi Cheemaun.
- City of Owen Sound Media Release Re: Set Up Begins for Owen Sound's 21st Annual Festival of Northern Lights.

Moved by Councillor P. Lemon

"THAT City Council hereby receives the minutes contained on the Consent Agenda dated November 3, 2008, and further

THAT City Council hereby receives the correspondence items presented for the information of Council contained on the Consent Agenda dated November 3, 2008."

Carried unanimously.

b) Reports:

1. Report from the Director of Financial Services Re: Borrowing By-law.

Moved by Councillor P. Lemon

"THAT in consideration of a report dated October 23, 2008 from the Director of Financial Services, City Council hereby authorizes the Mayor and Clerk to execute a debenture agreement with the Ontario Infrastructure Projects Corporation for a ten year period and an amount of \$1,404,275.00 at the interest rate posted on the Infrastructure Ontario website one week prior to the funds being advanced."

Carried unanimously.

2. Report from the Purchasing Manager Re: Tender T08-22 Electrical Update and Installation, Harrison Park Phase II.

Moved by Councillor B. Twaddle

"THAT in consideration of a report dated October 28, 2008 from the Purchasing Manager, City Council hereby awards Tender T08-22 for the electrical upgrades in Harrison Park to Gulliver Electric at their tender price of \$97,500.00, being the lowest bid received."

Carried unanimously.

3. Report from the Purchasing Manager Re: Tenders T08-25 Supply and Install a 10,000 Litre Bio-Diesel Fuel Tank and T08-26 Supply Approximately 190,000 Litres per Year of Bio Diesel Fuel.

Moved by Councillor P. Lemon

"THAT in consideration of a report dated October 27, 2008 from the Purchasing Manager, City Council hereby awards Tender T08-25 for the supply and installation of a 10,000 litre bio-diesel fuel tank to Highfield's Service Station Maintenance, for \$358,598.98, the lowest bid received, and awards Tender T08-26 for the supply and delivery of approximately 190,000 litres of bio-diesel fuel to F S Partners Ltd. at a fixed profit per litre of 2.5 cents over the delivery date rack price for gasoline."

Carried unanimously.

4. Report from the Director of Community Services Re: Agreement with Ministry of Transportation Regarding Interpretive Plaque on Highway 26 for Rail Trail.

Moved by Councillor D. Haswell

"THAT in consideration of a report dated October 29, 2008 from the Director of Community Services, City Council hereby authorizes the Mayor and Clerk to execute an agreement with Her Majesty the Queen In Right for the Province of Ontario (MTO) to have the City effect and administer the installation of an interpretive plaque celebrating the City's rail history at the location of the former CPR line and Provincial Highway 26, with a maximum of \$2,500 compensation from the Ministry of Transportation."

Carried unanimously.

5. Report from the Director of Operations Re: Snowmobile Club Request for Alternate Snowmobile Trail.

Moved by Councillor J. McManaman

"THAT in consideration of a report dated October 29, 2008 from the Director of Operations, City Council hereby approves entering into a one (1) year agreement with the East Side Snowmobile Club to permit the club to construct and maintain a 4.5 metre wide snowmobile trail across City owned lands between 28th Avenue East and the rail trail, from December 1, 2008 to April 1, 2009, subject to the following conditions:

- a) **The City receiving confirmation that an agreement and liability insurance are in place with Grey County for use of the rail trail;**
- b) **The execution of a Land Use Agreement with the City; and**
- c) **The provisions of liability insurance in the minimum amount of \$2,000,000.00 naming the City as additional insured."**

Carried unanimously.

6. Report from the City Clerk Re: 2009 Council Calendar.

Moved by Councillor J. Christie

"THAT in consideration of a report dated October 30, 2008 from the City Clerk, City Council hereby approves the 2009 Council calendar as presented."

Carried unanimously.

c) Minutes of Boards and Committees for Approval:

1. Minutes of Boards and Committees for Approval:

- a) Financial Advisory Committee meeting held on June 24, 2008.
- b) Recreation and Parks Advisory Committee meeting held on October 9, 2008.
- c) Operations Advisory Committee meeting held on October 16, 2008.
- d) Tourism Advisory Committee meeting held on September 18, 2008.
- e) Parking Review Committee meeting held on October 20, 2008.
- f) Tom Thomson Art Gallery Board of Management meeting held on September 17, 2008.
- g) Owen Sound & North Grey Union Public Library Board meeting held on June 26, 2008.
- h) Owen Sound & North Grey Union Public Library Board meeting held on September 25, 2008.
- i) Owen Sound & North Grey Union Public Library Board meeting held on October 23, 2008.

Moved by Councillor D. Haswell

"THAT the minutes of the following Boards and Committees be hereby received and the recommendations contained therein be hereby approved:

- a) **Financial Advisory Committee meeting held on June 24, 2008.**
- b) **Recreation and Parks Advisory Committee meeting held on October 9, 2008, save and except Item 8d) regarding a partnership with the Kiwanis Club for the accessible playground at Harrison Park having been dealt with separately.**
- c) **Operations Advisory Committee meeting held on October 16, 2008, save and except Item 6a) paragraph 2, regarding a reward system for dumping of yard waste, being received only.**
- d) **Tourism Advisory Committee meeting held on September 18, 2008.**
- e) **Tom Thomson Art Gallery Board of Management meeting held on September 17, 2008.**
- f) **Owen Sound & North Grey Union Public Library Board meeting held on June 26, 2008.**

- g) Owen Sound & North Grey Union Public Library Board meeting held on September 25, 2008.
h) Owen Sound & North Grey Union Public Library Board meeting held on October 23, 2008."

Carried unanimously.

Moved by Councillor B. Twaddle

"THAT the minutes of the Parking Review Committee meeting held on October 20, 2008 be hereby received."

Carried unanimously.

13. OTHER BUSINESS

- a) Coffee With the Councillor.

Councillor Christie invited the public to coffee with the Councillor to discuss municipal issues.

- b) Court Security Costs.

Councillor Wright advised that the recent announcement from the Provincial Government regarding uploading of court security costs will not eliminate or decrease the court security costs that are currently paid by the City of Owen Sound.

Moved by Councillor A. Wright

"THAT City Council hereby request the County of Grey to consider funding of court security costs out of the Provincial Offences Act funding until such time as it has been determined that court security costs will be paid by the Province of Ontario."

Carried unanimously.

- c) Association of Municipalities of Ontario.

Councillor Wright advised that with regard to the court security cost issue, it was felt that AMO did not effectively present the problems faced by small to mid-sized municipalities in Ontario. It is questionable whether remaining a member of this Association is beneficial to the City of Owen Sound if the small and mid-sized municipalities are ignored.

Moved by Councillor A. Wright

"THAT City Council hereby requests that the President of the Association of Municipalities of Ontario (AMO) and/or a Representative from the AMO Board be asked to provide a presentation to City Council outlining the benefits of being a member of their Association."

Carried unanimously.

Moved by Councillor B. Twaddle

"WHEREAS the Province of Ontario has announced that as part of the Provincial-Municipal Fiscal and Service Delivery Review consensus report, Facing the Future Together, which was released jointly by the Ontario government, the Association of Municipalities of Ontario (AMO) and the City of Toronto that court security costs and prisoner transportation costs will be removed from municipal budgets by 2018, by phasing in the upload of these costs starting in 2012, and

WHEREAS the announcement will be of little or no benefit to the small to mid-sized municipalities in Ontario who are responsible for paying court security costs,

BE IT HEREBY RESOLVED THAT The Corporation of the City of Owen Sound expresses its strong displeasure with the decision of the Province regarding court security cost uploading to the benefit of larger municipalities by copies of this resolution to Premier Dalton McGuinty, Chris Bentley, Attorney General, Rick Bartolucci, Minister of Community Safety and Correctional Services, Peter Hume, President of AMO; and, Bill Murdoch, MPP, Bruce-Grey-Owen Sound."

Carried unanimously.

d) Infrastructure Funding.

The City Manager advised that the City will receive \$1.5 million in infrastructure dollars from the Province this year. Applications for funding for 2009 will be submitted for two projects, the underground services and road repairs on 8th Street West and 3rd Avenue West, at an estimated cost of \$1.3 million and the repair of the 9th Street Bridge at an estimated cost of \$1.5 to \$2 million. A report regarding these applications will be coming forward to Council through the Operations Advisory Committee.

e) Report from the Community Planner Re: Committee of Adjustment Applications B-3/08 and B-2/08 - Access Agreement to Connect to the 7th Avenue East Right of Way.

Moved by Councillor J. McManaman

"THAT in consideration of a report dated October 31, 2008 from the Community Planner, City Council hereby authorizes the Mayor and Clerk to execute an Access Agreement with Neils Munk to formalize access from 7th Avenue East to lands located in the Township of Georgian Bluffs described as Part of Lot 14, Concession 1, being Part 2, Plan 16R-9491, Part of PIN 37065-0434(LT)."

Carried Unanimously.

14. **MOTION THAT THE COMMITTEE RISE AND REPORT**

Moved by Councillor J. Christie

"THAT the Committee rise and report."

Carried unanimously.

REGULAR COUNCIL**15. RESOLUTION ADOPTING PROCEEDINGS IN COMMITTEE OF THE WHOLE**

Moved by Councillor D. Haswell
Seconded by Councillor T. Pink

"THAT the action taken in Committee of the Whole in considering public meetings, deputations, public question period, matters arising from correspondence, reports, matters tables, motions for which notice was previously given and other business be hereby confirmed by this Council."

Carried unanimously.

16. NOTICES OF MOTION

There were none.

17. NEW BUSINESS BY RESOLUTION

There were no new business items.

18. BY-LAWS

By-law No. 2008-152, "A By-law to Authorize the Submission of an Application to the Ontario Infrastructure Projects Corporation for Financing Certain Ongoing Capital Works of The Corporation of the City of Owen Sound to Authorize Temporary Borrowing From OIPC to Meet Expenditures in Connection with Such Works and to Authorize Long Term Borrowing for Such Works Through the Issue of Debentures to OIPC"

By-law No. 2008-153, "A By-law to Amend By-law No. 2007-102, Being 'A By-law Respecting Construction, Demolition and Change of Use Permits, Inspections and Related Matters Pursuant to the Building Code' for the purpose of amending Schedule 'A', Part 4, Section 3 Respecting Refundable Final Inspection and Schedule 'I' to Correct the Building Code Sections on the Occupancy Permit"

By-law No. 2008-154, "A By-law to Authorize the Mayor and Clerk to Execute a Letter of Agreement with Her Majesty The Queen In Right of the Province of Ontario, Represented by the Minister of Transportation for the Province of Ontario Respecting Costs Recoverable by the City of Owen Sound for the Highway 26 Heritage Plaque Respecting the Rail Trail"

By-law No. 2008-155, "A By-law Respecting Purchasing Management Policies and Regulations and to Repeal By-law Number 2000-120"

By-law 2008-156, "A By-law to Authorize the Mayor and Clerk to Execute a Facade and Structural Agreement Between Grey Bruce Property Rentals Inc. and The Corporation of the City of Owen Sound Respecting Structural Improvements to the Facade of 780-784 2nd Avenue East" (Hannah's Cafe)

By-law No. 2008-157, "A By-law to Confirm the Proceedings of the Regular Meeting of Council Held the 3rd Day of November, 2008"

By-law No. 2008-158, "A By-law to Authorize the Mayor and Clerk to Execute an Access Agreement Between The Corporation of the City of Owen Sound and Neils Munk Respecting Access to Part Lot 14, Concession 1, Part 2, Plan 16R-9491, in The Township of Georgian Bluffs From the 7th Avenue East Road Allowance in the City of Owen Sound"

Moved by Councillor D. Haswell

Seconded by Councillor T. Pink

"THAT By-law Numbers 2008-152, 2008-153, 2008-154, 2008-155, 2008-156, 2008-157 and 2008-158 be hereby passed and enacted."

Carried unanimously.

19. **ADJOURNMENT**

The business contained on the Agenda having been completed, Mayor Lovell Stanners adjourned the meeting at 8:33 p.m.

Mayor

Clerk