



**City Council Minutes
City of Peterborough
September 28, 2015
Draft Minutes Not Approved**

Minutes of a Meeting of City Council held on September 28, 2015, in the Council Chambers.

The City Council meeting was called to order at 6:49 p.m. in the Council Chambers, City Hall.

Roll Call:

Councillor Baldwin
Councillor Beamer
Councillor Clarke
Councillor Haacke
Councillor McWilliams
Councillor Pappas
Councillor Parnell
Councillor Riel
Councillor Therrien
Councillor Vassiliadis
Mayor Bennett

Confirmation of Minutes – September 8, 2015

Moved by Councillor Clarke, second by Councillor Pappas

That the minutes of the meeting of Council held on September 8, 2015, be approved.

“CARRIED”

Disclosure of Pecuniary Interests

Councillors Clarke and Beamer declared interests with Item 13, Committee of the Whole Report CSRS15-006, as their respective employers are involved in the bottled water industry.

Councillor Parnell declared an interest with Item 3, Committee of the Whole Report USEP15-010, as the subject property is within 120m of her residence.

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Delegations

Registered Delegations:

Carol Winter, 294 McDonnell Street, made a delegation to Item 10 of Committee of the Whole Report No. 18 (Report OCS15-007 – A New By-law to Replace the Existing Public Nuisances By-law).

Roy Brady, 304–136 Ware Street, made a delegation to Item 15 of Committee of the Whole Report No. 18 (Report CAO15-020 – Ontario Public Electricity System).

Delegations Not Registered:

Planning Committee Report

There were no delegations.

Committee of the Whole Reports

Dan Hennessy, 461 Aylmer Street, made a delegation to Item 10 of Committee of the Whole Report No. 18 (Report OCS15-007 – A New By-law to Replace the Existing Public Nuisances By-law).

Other Items on the Agenda

There were no delegations.

Planning Committee Report Number 10

Moved by Councillor Parnell, seconded by Councillor Riel

That Report Number 9 of the Planning Committee meeting of September 14, 2015 be approved.

“CARRIED”

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Committee of the Whole Report Number 18

Moved by Councillor Pappas, seconded by Councillor Vassiliadis

That Report Number 18 of the Committee of the Whole meeting of September 21, 2015 be approved.

Due to the previously declared interests of Councillors Clarke and Beamer, item 13 was separated for discussion and vote.

Item 3

Due to her previously declared interest, Councillor Parnell did not discuss or vote on the matter.

Upon item 3, the motion carried.

Item 13

Councillors Clarke and Beamer did not discuss or vote on the matter.

Upon item 13, the motion carried.

Item 19

Upon item 19, the motion carried

Upon the main motion of Councillors Pappas and Vassiliadis, less items 3, 13 and 19 the motion carried.

Notice of Motion

There were no Notices of Motion.

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By-laws

Moved by Councillor Parnell, seconded by Councillor Riel

That the following by-laws be read a first, second and third time:

- 15-144 Being a By-law to repeal Chapter 696 of the City of Peterborough Municipal Code – Public Nuisances, By-law 1988-58, and enact City of Peterborough – Public Nuisances By-law Number 15-144**
- 15-145 Being a By-law to repeal Chapter 671 of the City of Peterborough Municipal Code – Firearms Discharge, By-law 93-188, By-law 1985-165 and enact City of Peterborough Firearms Discharge By-law Number 15-145**
- 15-146 Being a By-law to repeal By-law Number 15-087, a By-law to authorize the execution of an Encroachment Agreement for lands municipally known as 461 Albert Street, in the City of Peterborough**
- 15-147 Being a By-law to temporarily exempt certain lands within Registered Plan 45M-234 in the City of Peterborough from Part Lot Control**

and the said by-laws, having been now read a third time and passed, the Mayor and Clerk be authorized to sign and seal the same.

“CARRIED”

Other Business

There were no items of Other Business

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Confirmatory By-law

Moved by Councillor Beamer, seconded by Councillor Haacke

That the following by-law be read a first, second and third time:

15-148 Being a By-law to confirm the proceedings of the Council at its meeting held on September 28, 2015.

and the said by-law, having been now read a third time and passed, the Mayor and Clerk be authorized to sign and seal the same.

“CARRIED”

Adjournment

Moved by Councillor Clarke, seconded by Councillor Baldwin

That this meeting of City Council adjourn at 7:35 p.m.

“CARRIED”

John Kennedy
City Clerk

Daryl Bennett
Mayor

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**Planning Committee Report No. 10
Meeting of September 14, 2015**

**To The Council of the City of Peterborough, for consideration at its
meeting held September 28, 2015**

**The Planning Committee, as a result of its meeting held on September
14, 2015 recommends as follows:**

- 1. Public Meeting Under the Planning Act
Manager, Planning Division
Report PLPD15-047
200 St. Luke's Avenue**

**That Report PLPD15-047, 200 St. Luke's Avenue be deferred at the request
of the applicant.**

Submitted by,

Councillor Parnell
Chair
September 14, 2015

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**Committee of the Whole Report No. 18
Meeting of September 21, 2015**

**To the Council of The City of Peterborough for consideration at its
Meeting held September 28, 2015**

**The Committee of the Whole as a result of its meeting held on
September 21, 2015, recommends as follows:**

**1. Director of Community Services
Report CSACH15-004
Museum 2016 Exterior Cladding and Window Project**

**That Council approve the recommendations outlined in
Report CSACH15-004 dated September 21, 2015, of the Director of
Community Services, as follows:**

- a) That Section 4.3.1 c) of the City's Purchasing By-law 14-127 that
requires Department Directors to "ensure sufficient approved budget
exists for planned purposes before a procurement process
commences", be waived;**
- b) That the tender for the proposed Museum 2016 Exterior Cladding and
Window Project be issued prior to the funds being available, and**
- c) That an application be submitted to Canada Cultural Spaces Fund,
Department of Canadian Heritage, requesting \$225,000 of financial
support for the proposed Museum 2016 Exterior Cladding and
Window Project, and**
- d) That the Mayor and Clerk be authorized to sign the funding
application and that a by-law be passed authorizing the Mayor and
Clerk to sign the resulting agreement with Canada Cultural Spaces
Fund.**

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2. Director of Utility Services

Report USEC15-022

Award of RFP P-15-15 Consulting Services for Engineering Design and Contract Administration for the Rehabilitation of the Donegal Street Bridge over Jackson Creek and the Reconstruction of Donegal Street from Murray Street to McDonnell Street

That Council approve the recommendation outlined in Report USEC15-022 dated September 21, 2015, of the Director of Utility Services, as follows:

That RFP document P-15-15 for Consulting Services for Engineering Design and Contract Administration for the Rehabilitation of the Donegal Street Bridge over Jackson Creek and the Reconstruction of Donegal Street from Murray Street to McDonnell Street be awarded to G.D. Jewell Engineering Inc., 71 Millennium Parkway, Unit 1, Belleville, Ontario K8N 4Z5 at a total cost of \$121,461.00 plus \$15,789.93 HST for a total of \$137,250.93.

3. Director of Utility Services

Report USEP15-010

Award of RFP P-17-15 for Environmental Engineering Consultant Services to Prepare, Finalize, and Implement Conditions Outlined in the New Environmental Compliance Approval Documents for Burnham and Monaghan Sanitary Pumping Stations

That Council approve the recommendation outlined in Report USEP15-010 dated September 21, 2015, of the Director of Utility Services, as follows:

That RFP P-17-15 for the Environmental Engineering Consultant Services to Prepare, Finalize and Implement Conditions Outlined in the New Environmental Compliance Approval Documents for Burnham and Monaghan Sanitary Pumping Stations be awarded to MTE Consultants Inc., 520 Bingham Centre Drive, Kitchener, ON N2B 3X9 at a total cost of \$128,565.00 plus \$16,713.45 for a total of \$145,278.45.

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4. City Clerk
Report CPCLK15-010
2016 Council Meeting Schedule

That Council approve the recommendations outlined in Report CPCLK15-010, dated September 21, 2015 of the City Clerk, as follows:

- a) That the 2016 Council Meeting Schedule be adopted as presented in Appendix "A" to Report CPCLK15-010, and
- b) That the date of the Council Meeting originally scheduled for Monday, October 19, 2015 be changed to Tuesday, October 20, 2015 due to the Federal Election.

5. City Clerk
Report CPCLK15-012
Live Streaming of Meetings of Council

That Committee approve the recommendation outlined in Report CPCLK15-012 dated September 21, 2015, of the City Clerk, as follows:

That report CPCLK15-012 be received for information.

6. City Clerk
Report CPCLK15-013
Central East LHIN Presentation

That Council approve the recommendation outlined in Report CPCLK15-013, dated September 21, 2015, of the City Clerk as follows:

That the presentation by Deborah Hammons of the Central East Local Health Integration Network (LHIN) be received for information.

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7. Director of Utility Services
Report USDIR15-003
Approval of the Stormwater Quality Management Master Plan

That Council approve the recommendations outlined in Report USDIR15-003 dated September 21, 2015, of the Director of Utility Services, as follows:

- a) That the presentation from XCG on the Stormwater Quality Management Master Plan be received;
- c) That the existing Sewer Surcharge Reserve Fund be renamed to the Wastewater Reserve Fund and be made available to support operating and maintenance costs for the City's stormwater and sanitary sewage systems.
- e) That staff review the existing Sewer Surcharge system and develop a comprehensive Wastewater Rate system that may incorporate a stormwater User-Rate if appropriate to fund the stormwater and sanitary sewage systems and report to Council at a future meeting on the results and implementation of the Wastewater Rate system; and
- f) That By-law Numbers 1983-46 and 93-18 be repealed and replaced with a new By-law so that the definition of "sewage" is included in the By-law as it is written in the *Municipal Act* and so that existing Sewer Surcharge Reserve Funds are available to support operation, maintenance and enhancement of the City's entire stormwater and sanitary sewage infrastructure.

At the meeting of September 21, 2015, the following was approved:

That recommendations b) and d) be referred until more information is provided on user fees.

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8. Director of Corporate Services
Report CPPS15-033
Pre-commitment of the 2016 Capital Budget and Award of
Tender T-24-15 for the Transit Terminal West Wing Renovation

That Council approve the recommendations outlined in Report CPPS15-033 dated September 21, 2015, of the Director of Corporate Services, as follows:

- a) That the \$650,000 budget amount proposed for the 2016 Capital Budget for the Terminal Building Upgrades be pre-committed;
- b) That RFT document T-24-15 for the Transit Terminal West Wing Renovation be awarded to Kawartha Capital Corp., 580 Ashburnham Drive, Peterborough, ON, K9L 2A2 at a total cost of \$874,520.28 plus HST of \$113,687.64 for a total of \$988,207.92;
- c) That a provisional work value of \$100,000 be committed to the project and the Administrative Staff Committee be provided the authority to adjust the purchase order value to an upset limit of \$974,520 excluding HST as necessary to complete this project;
- d) That a temporary heated transit shelter and overhead heating unit be installed on the transit platform on a temporary basis during construction at an estimated cost of \$40,000, with funding from the 2015 Transit Stop and Shelter Capital Budget (project reference 5-11.06)

9. City Solicitor and Director of Legal Services
Report OCS15-006
A New By-law to Replace the Existing Firearms Discharge
By-law

That Council approve the recommendations outlined in Report OCS15-006 dated September 21, 2015, of the City Solicitor and Director of Legal Services, as follows:

- a) That a new by-law be passed by City Council to prohibit the use of firearms in the City of Peterborough, and
- b) That the existing Firearms Discharge By-law, Chapter 671 of the Peterborough Municipal Code and By-laws 1985-165 and 93-188 be repealed.

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- c) That the definition for "Firearm" in Section 1.4 be revised to read as follows:

Firearm - means any barrelled weapon from which any shot, bullet, missile or other projectile can be discharged and that is capable of causing bodily harm, injury or death and includes anything that can be adapted for the use as a Firearm, and for the purpose of this By-law includes an air gun, air soft gun, Bow, paint ball gun, slingshot and spring gun or any class or type thereof, and

That the definition of "Bow" exclude the words "to a person" at the end of the definition.

10. City Solicitor and Director of Legal Services
Report OCS15-007
A New By-law to Replace the Existing Public Nuisances By-law

That Council approve the recommendations outlined in Report OCS15-007 dated September 21, 2015, of the City Solicitor and Director of Legal Services, as follows:

- a) That a new by-law be passed by City Council to prohibit public nuisances in the City of Peterborough, and
- b) That the existing Public Nuisances By-law, Chapter 696 of the Peterborough Municipal Code and By-law 1988-58 be repealed.
- c) That Section 1.9(g) be amended to read as follows:

“Remaining in or refusing to leave a Public Place after being ordered to leave by EMS Staff for crowd control purposes.”

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11. Director of Corporate Services
Report CPFS15-046
Biddingo – Online Portal Services for Procurement Documents

That Council approve the recommendation outlined in Report CPFS15-046 dated September 21, 2015, of the Director of Corporate Services, as follows:

That the report outlining that the City of Peterborough is entering into an agreement with Biddingo Canada Inc., 1210 Sheppard Avenue East, Suite 305 Toronto, Ontario, to upload the City's bid solicitations, attachments and addendums on Biddingo's website as the sole distribution tool for the City's procurement documents, be received for information.

12. Director of Utility Services
Report USDIR15-004
Award of RFP P-14-15 for Detailed Design and Contract
Administration for the Jackson Creek Flood Diversion Sewer,
Sanitary Sewer Upgrade and Townsend Street/Bethune Street
Reconstruction

That Council approve the recommendations outlined in Report USDIR15-004 dated September 21, 2015, of the Director of Utility Services, as follows:

- a) That RFP document P-14-15 for Detailed Design and Contract Administration for the Jackson Creek Flood Diversion, Sewer, Sanitary Sewer Upgrade and Townsend Street/Bethune Street Reconstruction be awarded to AECOM, 300 Water Street, Whitby Ontario, L1N 9J2 at a cost of \$3,234,360 plus HST of \$420,466.80 for a total cost of \$3,654,826.80; and
- b) That a contingency fund of \$200,000 be authorized to the consulting assignment and the Director of Utility Services be authorized to adjust the purchase order value to an upset limit of \$3,854,826.80, if required.

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**13. Director of Community Services
Report CSRS15-006
Update on the Sale and Serving of Bottled Water in City
Facilities**

That Council approve the recommendation outlined in Report CSRS15-006 dated September 21, 2015, of the Director of Community Services, as follows:

That Report CSRS15-006 - Update on the Sale and Serving of Bottled Water in City Facilities be received for information.

**14. Director of Planning and Development Services
Report PLHD15-010
Housing is Fundamental 2015 – Information Report**

That Council approve the recommendation outlined in Report PLHD15-010 dated September 21, 2015, of the Director of Planning and Development Services, as follows:

That the *Housing is Fundamental* 2015 report of the Affordable Housing Action Committee (AHAC) be received for information.

**15. Chief Administrative Officer
Report CAO15-020
Ontario Public Electricity System**

That the City of Peterborough oppose the sale of any part of Hydro One.

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**16. Chief Administrative Officer
Report CAO15-019**

Summary Report – AMO Document “Building a New Public Safety Model in Ontario, AMO’s Policing Modernization Report”

That Council approve the recommendation outlined in Report CAO15-019, dated September 21, 2015, of the Chief Administrative Officer, as follows:

- a) That Report CAO15-019 summarizing the April 27, 2015 AMO document entitled “Building a New Public Safety Model in Ontario, AMO’s Policing Modernization Report” and how the report recommendations, if implemented, impact City of Peterborough policing, be approved for information.
- b) That Council endorse the AMO modernization plan.
- c) That a letter be sent from the Mayor’s Office to the Minister of Community Safety and Correctional Services and AMO regarding the modernizing of the delivery of community safety and amending the Police Service Act taking into consideration the Peterborough experience.

17. Process Used To Relocate Refugees

That staff prepare a report for Budget Committee on the process used to relocate refugees and how the City could assist groups in the community involved in the process.

18. Long Term Care Funding

That a letter be sent to the federal and provincial long term care Ministries, copied to MPP Leal, asking for a review of the Case Mix Index (CMI), overall costing formulas and operating expenses for long term care facilities as it pertains to Peterborough.

19. Code of Conduct for Council

That staff provide a report on a Code of Conduct for Council and how it may be integrated into Peterborough City Council.

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Submitted by,

Councillor Beamer
Chair
September 21, 2015