

MINUTES

REGULAR MEETING OF CITY COUNCIL

2011 10 11

4:30 P.M.

COUNCIL CHAMBERS

Present: Mayor D. Amaroso, Councillors L. Turco, S. Butland, S. Myers, M. Bruni, J. Krmpotich, B. Watkins, R. Niro, P. Christian, F. Fata, T. Sheehan, P. Mick

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Bruzas, J. Dolcetti, , D. Elliott, D. McConnell, M. Provenzano,

Absent: Councillor F. Manzo

1. ADOPTION OF MINUTES

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the Minutes of the Regular Council Meeting of 2011 09 26 be approved. CARRIED

2. QUESTIONS AND INFORMATION ARISING OUT OF THE MINUTES AND NOT OTHERWISE ON THE AGENDA

3. APPROVE AGENDA AS PRESENTED

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the Agenda for 2011 10 11 City Council meeting and Addendum #1 as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Tracey McKiddie, Children Services Manager, Community Living Algoma was in attendance concerning proclamation – Foster Care Week.
- b) Doug McChesney, President of Sault North Rotary and Neil McLean, Polio Plus Committee Chair were in attendance concerning proclamation – End Polio Now.
- c) Dominic Parrella, VP Operations PUC Inc. was in attendance concerning agenda item 5.(c).
- d) David Craig, Howie Wilcox and Al Errington, Coalition for Algoma Passenger Trains were in attendance to update Council on their activities.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Whereas the Coalition for Algoma Passenger Trains (CAPT) is a regional not-for-profit organization of individuals, municipalities, First Nations, businesses and other stakeholders who recognize the significant social, economic, cultural, historical and environmental values of Northern Ontario's passenger trains;

Now Therefore Be It Resolved that the City of Sault Ste. Marie Council supports in principle the Coalition for Algoma Passenger Trains effort to preserve and enhance passenger train service in the District of Algoma as well as the adjacent districts around Hearst and Sudbury. CARRIED

- e) Robert Rushworth, Manager Emergency Medical Services was in attendance concerning Best Practices – Intravenous (IV) Therapy Program.
- f) Brad Morley was in attendance concerning Agenda item 6.(6)(a).

PART ONE – CONSENT AGENDA

5. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that all the items listed under date 2011 10 11 – Part One – Consent Agenda and Addendum #1 be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the Township of Tiny (concerning Publically Owned Water Treatment Facilities), the Township of Terrace Bay (concerning Lake Superior Binational Forum) and the Centre & South Hastings Waste Services Board (concerning Extended Producer Responsibility) was received by Council.
- c) Correspondence from PUC Inc. concerning Conversion to Free Chlorine Disinfection was received by Council.
- d) Correspondence from MADD Canada, the Ontario Public Health Association and Centre for Addiction and Mental Health concerning beer and wine sales in convenience stores was received by Council.

e) **Staff Travel**

The report of the Chief Administrative Officer was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Chief Administrative Officer dated 2011 10 11 concerning Staff Travel requests be approved as requested. CARRIED

f) **2012 Council Meeting Schedule**

The report of the City Clerk was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the City Clerk dated 2011 10 11 concerning 2012 Council Meeting Schedule be accepted and the schedule as recommended be approved. CARRIED

g) **Cultural Advisory Board Appointment**

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that Richard Wark be appointed to the Cultural Advisory Board from October 11, 2011 to December 31, 2012. CARRIED

h) **Request for Financial Assistance for National/International Sports Competitions – Zephyr Rouleau – Karate and Kickboxing**

The report of the Manager Recreation and Culture was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Manager Recreation and Culture dated 2011 10 11 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200 grant to Zephyr Rouleau be approved. CARRIED

i) **Renewal 2011-2012 Civic Centre Security Duties, Parking By-law Enforcement Officers, Public Library Security Duties**

The report of the Manager of Purchasing was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2011 10 11 be endorsed and that the ongoing Agreement with the Canadian Corps of Commissionaires for Security Services and Parking By-law Enforcement, be single sourced for an extended period of twelve (12) months concluding October 31, 2012. CARRIED

j) **Tender for Two (2) Fuel Tank Removals and Replacement Main Fire Station (2011FA02)**

The report of the Manager of Purchasing was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Manager of Purchasing dated 2011 10 11 be endorsed and that the tender for Two (2) Fuel Tank Removals and Replacements at the main Fire Station, required by Fire Services, be awarded as recommended. CARRIED

k) **Property Tax Appeals**

The report of the Commissioner of Finance and Treasurer was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for the tax accounts outlined on the City Tax Collector's report of 2011 10 11 be approved and that the tax records be amended accordingly. CARRIED

l) **Municipal Performance Measurement Program – 2010 Results**

The report of the Commissioner of Finance and Treasurer was received by Council. Municipal Performance Measurement Program results are available on city website under “Finance”.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Commissioner of Finance and Treasurer dated 2011 10 11 concerning 2010 results under the Municipal Performance Measurement Program be received as information. CARRIED

m) **Sault Area Hospital Smoking Policy**

The report of the Commissioner of Engineering and Planning Department was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Commissioner of Engineering and Planning Department dated 2011 10 11 concerning Sault Area Hospital Smoking Policy be accepted as information. CARRIED

n) **McNabb Street/MacDonald Avenue Flooding**

The following item was deferred from the 2011 09 26 Council Meeting. The report of the Director of Engineering Services was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Director of Engineering Services dated 2011 09 26 concerning McNabb Street/MacDonald Avenue Flooding be accepted and the recommendation to encourage building owners in the area to isolate their foundation and roof water drainage systems from the City storm sewer system be approved; and

Further that a consultant be retained to complete a technical review of the subject flood prone areas and provide recommendations and cost estimated for potential improvements. CARRIED

o) **Municipal Access Agreement with PUC Telecom for Access to Municipal Rights of Way**

The report of Corporate Counsel was received by Council.

The relevant By-law 2011-169 is listed under Item 10 of the Minutes.

p) **Hub Trail Signage Updated Report**

The report of the Planning Division was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Planning Division dated 2011 10 11 concerning the Hub Trail Signage Update Report be accepted and the Planning Director's recommendation that City Council authorize the production and installation of the Hub Trail signage as outlined in this report at a maximum total cost not to exceed \$65,000 with the proposed distance markers to be single sourced from Fantasy Signs and Display Incorporated, be endorsed. CARRIED

q) **New Comprehensive Signs By-law**

The report of the Planning Division was received by Council.

The relevant By-law 2011-171 is listed under Item 10 of the Minutes.

r) **Municipal Landfill – Replacement of Compactor Wheels**

The report of the Deputy Commissioner Public Works and Transportation was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the Deputy Commissioner Public Works and Transportation dated 2011 10 11 concerning Municipal Landfill - Replacement of Compactor Wheels be accepted and the recommendation to purchase replacement wheels at an estimated cost of \$36,000 with funding from the Landfill Reserve be approved. CARRIED

s) Correspondence from OGRA was received by Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

- (1) ADMINISTRATION**
- (2) COMMUNITY SERVICES DEPARTMENT**
- (3) ENGINEERING**
- (4) FIRE**
- (5) LEGAL**
- (6) PLANNING**

a) Application No. A-19-11-OP – Brad Morley

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Mick

Resolved that application A-19-11-OP be approved. (Appropriate O.P. amendment to follow for Council's approval.) CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Planning Division dated 2011 10 11 concerning Application No. A-19-11-OP – filed by Brad Morley – 4057 Third Line West be accepted and the Planning Director's recommendation that City Council deny the applicant's request for an Official Plan Amendment to facilitate an application to the Committee of Adjustment to create two (2) new lots for rural residential purposes, be endorsed. DEFEATED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

7. UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL

a) Correspondence was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor L. Turco

Whereas the Foggy Notion's Bar which operated at 708 Queen Street East since December 2009 is presently closed; and

Whereas presently there is an application with the Alcohol and Gaming Commission of Ontario to transfer the liquor licence from the above said bar to a new operator who wishes to re-open the business; and

Whereas the quality of life of residents and business owners in the area of this establishment were negatively impacted by its previous operation; and
Whereas some of the neighbours have sent a letter to the new operator asking for a meeting to discuss concerns which had not been previously addressed; and
Whereas it is not the intent of this Council or the neighbours who have been negatively impacted by the previous operation to prevent the re-opening of this business,

Now Therefore Be It Resolved that the Alcohol and Gaming Commission of Ontario be requested to take into consideration the following concerns of the neighbours when deliberating the transfer of the liquor licence.

1. Excessive noise
2. Location of the live band stage (so as to minimize the noise and vibration impact on the adjoining apartment)
3. Yelling of patrons on the sidewalk in front of the building
4. Loitering of patrons in the laneway behind the business and below two apartments
5. Ensure that neighbouring business owners do not have to tolerate debris such as cigarette butts, garbage, and beer bottles in front of their businesses
6. That the new bar has sufficient security personnel on staff to control the above issues; and

Further Be It Resolved that copies of this resolution be provided to the local Liquor Inspector, Legal Department, Building Department and Police Services.
CARRIED

- b) Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco

Whereas potholes and deteriorating asphalt are problems across Ontario; and
Whereas crews spend countless hours filling thousands of potholes starting with the onset of spring weather; and
Whereas the technology is available, at a cost, to stop the water seepage that undermines our roads; and

Whereas there is information available through various contractors, trade magazines and workshops;

Now Therefore Be It Resolved that Council request staff to prepare The report comparing costs of various methods of addressing pothole problems, including budgetary implications. CARRIED

- c) Moved by: Councillor B. Watkins
Seconded by: Councillor P. Christian

Whereas the City Council of Sault Ste. Marie meets primarily bi-weekly on Monday afternoons with agendas being distributed to Council after traditional working hours on the previous Thursday; and

Whereas a review of this agenda takes considerable time to establish what information from staff and other resources may be needed to prepare for a Monday meeting; and

Whereas it would not be unreasonable for this to take up a significant portion of a working day to begin enquiries, with all staff being off for two days following; and
Whereas it could be assumed that all parties are preparing for a Monday meeting and have numerous other responsibilities; and

Whereas the magnitude of Council decisions should be given the most amount of time possible for appropriate attention so that the entire Council agenda is given due consideration,

Now Therefore Be It Resolved that the office of the City Clerk be asked to report back to Council with recommendations to afford Council increased time to prepare for meetings through whatever means possible. CARRIED

- d) Moved by: Councillor S. Butland
Seconded by: Councillor P. Christian

Whereas the approximate eight acre site commonly known as the “tank farm” and presently owned by SUNCOR Energy has been deemed unavailable for any development for over 10 years; and

Whereas this property could/should be an integral part of an already enviable waterfront; and

Whereas it would be appropriately designated as a “brownfield”; and

Whereas FCM has made funds available to remediate environmentally contaminated sites;

Now Therefore Be It Resolved that a meeting be requested with SUNCOR through the CAO’s office to discuss under what circumstances and conditions the property might be available to the City of Sault Ste. Marie for development. Suggested principals at the meeting to include: Mayor or designate, CAO, Planning Director and an EDC representative. CARRIED

e) **NOTICE OF MOTION**

Mover: Councillor T. Sheehan

Seconder: Councillor S. Myers

Whereas Passport Canada’s public consultations findings report, which gives an account of the process that Passport Canada undertook to consult on service improvements held in the spring of 2010 is now available; and

Whereas the report states that the number of full passport offices has expanded from 29 offices in 2001 to a national of 34 Passport Canada offices; and

Whereas Sault Ste. Marie is situated on the border of Canada’s greatest trading partner, the United States, and whereas the Sault Ste. Marie airport offers flights to international destinations; and

Whereas many citizens living in or visiting this area of Canada have to travel through Sault Ste. Marie across the St. Mary’s River to the United States of America; and

Whereas passport offices are superior to Service Canada sites and Canada Post outlets, i.e. same day service for new passports and renewals and faster completion times;

Now Therefore Be It Resolved that City Council call on the Federal government to locate a Passport Office in the City of Sault Ste. Marie. CARRIED

8. COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that all by-laws listed under Item 10 of the Agenda under date October 11, 2011 be approved. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-168 being a by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act be Passed in open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-169 being a by-law to authorize the execution of an agreement between the City and PUC Telecom Inc. regarding the use of City streets and rights of way for the provision of a fiber optic cable communication in the City of Sault Ste. Marie be Passed in open Council this 11th day of October 2011. CARRIED.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-170 being a by-law to amend By-law 99-91(Adopt-A-Street) be Passed in open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-171 being a by-law to temporarily prohibit digital signage within the City of Sault Ste. Marie be Passed in Open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-172 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on White Oak Drive from Carmen's Way to North Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06. be read a FIRST and SECOND time in open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-173 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Euclid Road from Pim Street to Wemyss Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a FIRST and SECOND time in open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-174 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Queen Street East from Pim Street to Simpson Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a FIRST and SECOND time in open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-175 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be Passed in open Council this 11th day of October, 2011. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2011-176 being a by-law to authorize the execution of an agreement between the City and Sault Ste. Marie Innovation Centre Community Geomatics Centre pertaining to registrants of the Vulnerable Persons Registry (VPR) in order to assist in preparing effective responses during emergencies be Passed in open Council this 11th day of October, 2011. CARRIED

11. QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON THE AGENDA

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor L. Turco
Seconded by: Councillor P. Mick
Resolved that this Council now adjourn. CARRIED

DEBBIE AMAROSO
MAYOR

MALCOLM WHITE
CITY CLERK