

MINUTES

REGULAR MEETING OF CITY COUNCIL

2011 06 27

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, R. Tyczinski, L. Bottos, B. Freiburger, N. Apostle, J. Elliott, J. Dolcetti, D. Elliott, M. Provenzano, L. Girardi, D. Scott, R. Rushworth, J. Bruzas. P. Niro

Absent: Councillor F. Manzo

1. ADOPTION OF MINUTES

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2011 06 13 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 J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the Agenda for 2011 06 27 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Dr. Ed Chicoine was in attendance concerning proclamation – Marathon of Health.
- b) Diane Lajambe, District Branch Manager Red Cross, was in attendance to present Councillor Brian Watkins with the Canadian Red Cross Rescuer Award.

PART ONE – CONSENT AGENDA

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all the items listed under date 2011 06 27 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the Town of Ajax and the Town of Fort Erie (concerning OLG municipal contributions) and the City of North Bay (concerning certain Assessment Review Board appeals) was received by Council.

Pecuniary Interest – R. Niro – family member employed by OLG

Pecuniary Interest – P. Christian – family member employed by OLG

Pecuniary Interest – M. Bruni – employed by OLG

- c) Letters of request for temporary street closings were received by Council.
 - 1) On St. Mary's River Drive from Station Mall Zellers Entrance to Station Mall Sears Entrance in conjunction with the Kiwanis Invitational Walleye Tournament (July 8th)
 - 2) On Cathcart Street from Hudson Street to Carmen's Way in conjunction with the Italian Festival (July 24th)The relevant By-laws 2011-123 and 2011-120 are listed under Item 10 of the Minutes.

- d) Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that Councillor Brian Watkins be appointed to the Sault Ste. Marie Region Conservation Authority from June 13, 2011 to December 31, 2012. CARRIED

- e) **Council Travel**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that Mayor Debbie Amaroso, Councillors Marchy Bruni, Steve Butland, Paul Christian, Susan Myers, Brian Watkins, Lou Turco, Terry Sheehan be authorized to travel to the 2011 AMO Annual Conference being held in London (4 days in August) at an estimated cost to the City of \$2,000 each. CARRIED

f) **Staff Travel**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Chief Administrative Officer dated 2011 06 27 concerning Staff Travel Requests be approved as requested. CARRIED

g) **Property Tax Appeals**

The report of the City Tax Collector was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

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 06 27 be approved and that the tax records be amended accordingly. CARRIED

h) **2010 Financial Statements**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Commissioner of Finance and Treasurer dated 2011 06 27 be accepted and the 2010 Consolidated Financial Statements be approved; and

Further that KPMG LLP, Chartered Accountants be appointed as the City Auditor for the 2011 fiscal year. CARRIED

i) **2011 – 2012 Capital Road Reconstruction and 2012 Federal Gas Tax Allocation**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Commissioner of Finance and Treasurer dated 2011 06 27 concerning 2011 – 2012 Capital Road Reconstruction and 2012 Federal Gas Tax Allocation be accepted as information. CARRIED

j) **SSM EMS (Paramedics) C.A.W. – Canada Local 1120
Memorandum of Settlement – April 1, 2011 to March, 2014**

The report of the Manager of Human Resources was received by Council.

The relevant By-law 2011-124 is listed under Item 10 of the Minutes.

k) **Request for Financial Assistance for National / International Sports Competitions**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager Recreation and Culture dated 2011 06 27 concerning Request for Financial Assistance for National / International Sports Competitions be accepted and the recommendation to provide a \$400 grant to Reid's Martial Arts Team (World Karate Canadian Championships) be approved. CARRIED

l) **Landfill Gas Collection Project – Engineering Fees**

The report of the Land Development and Environmental Engineer was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Land Development and Environmental Engineer dated 2011 06 27 concerning Landfill Gas Collection Project – Engineering Fees be accepted and the recommendation that an additional \$10,000 in engineering fees be included for a revised upset limit of \$418,000 in the engineering services contract between the City and AECOM be approved. CARRIED

m) **Landfill Site, Operations and Monitoring 2010 – Environmental Monitoring Committee**

The report of the Land Development and Environmental Engineer was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Land Development and Environmental Engineer dated 2011 06 27 concerning Landfill Site, Operations and Monitoring 2010 – Environmental Monitoring Committee be accepted as information. CARRIED

n) **Biennial Aqueduct Inspections – Consulting Services**

The report of the Director of Engineering Services was received by Council.

The relevant By-law 2011-118 is listed under Item 10 of the Minutes.

o) **Great Northern Road Hospital Entrance Intersection Improvements**

The report of the Director of Engineering Services was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Director of Engineering Services dated 2011 06 27 concerning Great Northern Road Hospital Entrance Intersection Improvements be accepted and the recommendation that the three improvements outlined in the report be completed at a cost of \$110,000 funded from the resurfacing allocation – Miscellaneous Construction budget be approved. CARRIED

p) **Five-Year Capital Road Reconstruction Plan (2011 – 2015)**

The report of the Director of Engineering Services was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Director of Engineering Services dated 2011 06 27 concerning Five-Year Capital Road Reconstruction Plan (2011 – 2015) be accepted and the recommendation that Council endorse the plan and that staff proceed with any required local improvement notices and rolls for 2012 be approved. CARRIED

q) **Request for Exemption from Noise Control By-laws**

The report of the City Solicitor was received by Council.

The relevant By-law 2011-121 is listed under Item 10 of the Minutes.

r) **Ed Vowels – 1420 Second Line West – Zoning By-law 2011-94 – Planning A-9-11-Z.OP**

The report of Corporate Counsel was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of Corporate Counsel dated 2011 06 27 concerning the OMB Appeal – By-law 2011-94 be accepted and that despite the appeal Council confirms its wish to proceed with the by-law. CARRIED

s) **Superior Development Group (Carmen Coccimiglio formerly 2252927 Ontario Inc.) – 622 Great Northern Road By-law 2011-16**

The report of the City Solicitor was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the City Solicitor dated 2011 06 27 concerning Superior Development Group (Carmen Coccimiglio formerly 2252927 Ontario

Inc.) – 622 Great Northern Road By-law 2011-16 be accepted as information.
CARRIED

t) **Community Development Award**

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Planning Division dated 2011 06 27 concerning the Community Development award be accepted and the Planning Advisory Committee's recommendation that City Council award the 2011 Community Development Award to Smokey's BBQ Pit and Patio located at 658 Queen Street East, for significant building and site improvements that have transformed the property to an aesthetically pleasing functioning commercial site be endorsed.
CARRIED

u) **Downtown Development Initiative Grant Recommendations**

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Division dated 2011 06 27 concerning Downtown Development Initiative – Grant Recommendations be accepted and the Planning Director's recommendation that City Council approve the 12 funding requests (6 properties) described in this report be endorsed. CARRIED

v) **Industrial Community Improvement Plan (CIP)**

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Planning Division dated 2011 06 27 concerning the Industrial Community Improvement Plan (CIP) be accepted and the Planning Director's recommendation that City Council approve the incremental tax rebates for SIS Manufacturing Corporation and the Sault Ste. Marie Airport Development Corporation in the following manner:

- 1) That the rebate apply only to new construction;
 - 2) That the recommended rebate is 75% the first year, 50% the second year, and 25% the third year;
 - 3) After the three year rebate program, the applicants would pay the full municipal tax amount;
- be endorsed. CARRIED

Pecuniary Interest – R. Niro – employer has a service contract with party

Pecuniary Interest – J. Krmpotich – Board member of Airport Development Corporation

w) **Selection of Consultant for Transit Operational Review**

The report of the Manager of Transit and Parking was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Transit and Parking dated 2011 06 27 concerning Selection of Consultant for Transit Operational Review be accepted and the recommendation that HDR/iTrans Corporation perform the operational review at a cost of \$80,000 be approved. CARRIED

x) **Transit Fleet – Proposed Multi Bus Purchase**

The report of the Manager of Transit and Parking was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Transit and Parking dated 2011 06 27 concerning Transit Fleet – Proposed Multi Bus Purchase be accepted and the recommendations that:

- 1) \$1.5 million be allocated from the 2012 Federal Gas Tax revenue to purchase three additional 40 foot buses in 2011;
 - 2) A Transit Equipment Reserve be created, funded by variable increases to the user fee by-law (Transit portion) with initial funding of \$130,000 in 2012; and
 - 3) The City participate in the option for a multi-year purchasing agreement to acquire a minimum of three and maximum of six buses for the 2011-2014 term at a predetermined price subject to annual budget approval;
- be approved. CARRIED

y) **Municipal Landfill Shoreline Stabilization of Canon Creek**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Deputy Commissioner Public Works and Transportation dated 2011 06 27 concerning Municipal Landfill Shoreline Stabilization of Canon Creek be accepted and the recommendations to proceed with the work at an estimated cost of \$25,000 with funding from the Landfill Site Reserve be approved. CARRIED

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**
- (7) PUBLIC WORKS AND TRANSPORTATION**
- (8) BOARDS AND COMMITTEES**

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

Moved by: Councillor P. Mick

Seconded by: Councillor P. Christian

Whereas a group of local businessmen approached the City in late summer 2010 regarding the possibility of receiving approval for “the development of a historic religious grotto dedicated to Saint Mary on Prince Island in Bellevue Park for residents and tourists at no cost to the City, subject to an appropriate use and maintenance agreement”; and

Whereas the request was received by City staff which determined that the location would not interfere with the burial site of Colonel John Prince and also that the proposal was consistent with the City’s Bellevue Park’s Master Strategy, last updated in 1999; and

Whereas the proposal was presented and considered by City Council at its meeting of September 13, 2010, where it received support from the Economic Development Corporation and Tourism Sault Ste. Marie, given its potential as a destination attraction in a growing religious travel market; and

Whereas the past City Council approved the request, subject to the matter returning for further review of the terms of an appropriate use and maintenance agreement; and

Whereas since this preliminary approval, the current Council, which includes six new members, has received considerable negative feedback about the appropriateness of the location for the proposed grotto, resulting in a public

meeting being held on June 16, 2011 to allow an appropriate forum for the discussion of such concerns; and

Whereas it appears prudent for the City to review its past and current policies, as well as processes which determine the appropriate use, development, and naming of public lands, including but not limited to parks which are located throughout the City; and

Whereas such a review should include an update of the City's Bellevue and Strathclair Park Master Plans, as well as master plans for neighbourhood parks in light of the consolidation of schools and disposition of school properties which have provided recreational opportunities throughout our community; and

Whereas the review should include an opportunity for input to be provided by the Parks and Recreation Advisory Committee, the Municipal Heritage Committee, the Historic Sites Board and the general public;

Now Therefore Be It Resolved that staff provide to Council a further report setting out the specific steps and timeframes, as well as costs, if any, for such a review; and

Further Be It Resolved that final approval for any new non-traditional uses of public recreational lands in Sault Ste. Marie, including the use and maintenance agreement for the grotto, be deferred until such review has been concluded.
CARRIED

Recorded Vote:

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

Against: Councillor L. Turco

Absent: Councillor F. Manzo

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

By-laws before Council for THREE readings which do not require more than a simple majority.

Moved by: Councillor K. Krmpotich

Seconded by: Councillor P. Christian

Resolved that all by-laws listed under item 10 of the Agenda under date 2011 06 13, save and except 2011-110 and 2011-116 be approved. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-118 being a by-law to authorize the execution of an agreement between the City and STEM Engineering Group Incorporated dated the 10th day of May, 2011 for the inspection of all City aqueducts as deemed necessary, as part of the biennial inspection program be Passed in open Council this 27th day of June, 2011. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-119 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 27th day of June, 2011. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-120 being a by-law to permit the temporary closing of Cathcart Street from Hudson Street to Carmen's Way on July 24, 2011 to facilitate the Italian Festival be Passed in open Council this 27th day of June, 2011. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-121 being a by-law to amend By-law 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for Echoes of the World Drum Festival taking place at Algoma University on July 1 and 2, 2011 be Passed in open Council this 27th day of June, 2011. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-122 being a by-law to amend Schedules "A" and "D" to Traffic By-law 77-200 be Passed in open Council this 27th day of June, 2011. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-123 being a to permit the temporary closing of St. Mary's River Drive from Station Mall Zellers entrance to Station Mall Sears entrance on July 8, 2011 to facilitate the Kiwanis Invitational Walleye Tournament, Parade of Boats and CSP Meet and Greet be Passed in open Council this 27th day of June, 2011. CARRIED

Moved by: Councillor K. Krmpotich
Seconded by: Councillor P. Christian
Resolved that By-law 2011-124 being a by-law to authorize a collective agreement between the City and the Sault Ste. Marie Emergency Medical

Services Division be Passed in open Council this 27th day of June, 2011.
CARRIED

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that Council shall now go into Caucus to discuss one matter concerning a proposed or pending acquisition or disposition of land by the municipality or local board; and

Further Be It Resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matter without the need for a further authorizing resolution.

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that this Council now adjourn. CARRIED

Mayor

City Clerk