

# MINUTES

## REGULAR MEETING OF CITY COUNCIL

2012 01 09

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, F. Manzo, P. Mick

**Officials:** J. Fratesi, M. White, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Bruzas, J. Dolcetti, D. Elliott, D. McConnell, S. Hamilton Beach, A. Starzomski, K. Fisher

### 1. ADOPTION OF MINUTES

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2011 12 05 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 P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the Agenda and Addendum #1 for 2012 01 09 City Council meeting as presented be approved. CARRIED

#### **4. DELEGATIONS/PROCLAMATIONS**

- a) Helen Shelswell was in attendance concerning proclamation – Alzheimer Awareness Month.
- b) Sharon Graham, President – Business and Professional Women Sault Ste. Marie was in attendance concerning Women's Week.
- c) Steffanie Date, Executive Director – Sault Youth Association was in attendance concerning the association's 2011 Annual General Report.
- d) Bryan Hayes, Member of Parliament was in attendance concerning Canada's Economic Action Plan (Budget) and Federal Seat Redistribution.
- e) Rhonda Bateman, Sault Ste. Marie Region Conservation Authority was in attendance to update Council on Source Water Protection Planning Policies.
- f) Judy McGonigal was in attendance concerning agenda item 6.(8)(a).
- g) John Martella was in attendance concerning agenda item 6.(7)(a).

### ***PART ONE – CONSENT AGENDA***

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that all the items listed under date 2012 01 09 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the City of North Bay (concerning Land Registry Offices); the County of Huron (concerning private lots and family functions held in farm buildings); the Township of Carling (concerning paved highway shoulders); and the Municipality of Clarington (concerning commercial fill operations and funding for municipal deficits) was received by Council.
- c) Correspondence from the City of North Bay and a copy of a letter from the Mayors of Sault Ste. Marie, North Bay and Timmins directed to the Ministers of Northern Development and Mines and Infrastructure concerning the Northern Growth Plan was received by Council.

- d) Correspondence from MPAC concerning MPAC Assessment Products and Services Delivery Update was received by Council.
- e) Correspondence from the World Wildlife Foundation – Canada concerning National Sweater Day and Earth Hour was received by Council.
- f) Correspondence from the Sustainable Urban Development Association was received by Council.
- g) A letter from Robyn Hamlyn concerning Blue Communities was received by Council.

h) **Staff Travel**

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

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Chief Administrative Officer dated 2012 01 09 concerning Staff Travel requests be approved as requested. CARRIED

i) **Appointment – Committee of Adjustment**

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that citizen Jack Moore be appointed to the Committee of Adjustment from January 9, 2012 to December 31, 2014. CARRIED

j) **Appointment – Planning Advisory Committee**

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that citizen Mary Pascuzzi be appointed to the Planning Advisory Committee from January 9, 2012 to December 31, 2012. CARRIED

k) **Appointment – Sault Ste. Marie Region Conservation Authority**

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that Councillor Marchy Bruni be appointed to the Sault Ste. Marie Region Conservation Authority from January 9, 2012 to December 31, 2012. CARRIED

l) **Appointment – Accessibility Advisory Committee**

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that citizen Cathy Othmer be appointed to the Accessibility Advisory Committee from January 9, 2012 to December 31, 2012. CARRIED

m) **2012 Corporate Membership Fees**

The report of the Deputy City Clerk and Manager of Quality Improvement was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 01 09 concerning 2012 Corporate Membership Fees be accepted and the recommendation to proceed with payment of the 2012 Corporate Membership Fees be approved. CARRIED

n) **Funding Application – Celebrate Canada Program**

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

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the report of the Manager, Recreation and Culture Division dated 2012 01 09 concerning Funding Application – Celebrate Canada Program be received and the recommendation that city staff proceed with application to the Department of Canadian Heritage for the 2012 Celebrate Canada Program to assist in funding the City's Canada Day Celebration be approved. CARRIED

o) **2010 Property Tax Rebate**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager, Recreation and Culture Division dated 2012 01 09 concerning 2010 Property Tax Rebate be received and the recommendation that the rebates for the 2010 tax year, and one for the 2009 tax year, be paid to the owners who made application and complied with the program be approved. CARRIED

p) **Repeal of By-law 2011-134 – Replace with By-law 2012-7 Lane Closing Tagona Subdivision**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-7 is listed under Item 10 of the Minutes.

q) **Possible City Owned Properties to be Declared Surplus to the City's Needs**

The report of the City Solicitor was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the City Solicitor dated 2012 01 09 be received as information and further that the list of possible city properties to be declared

surplus to the City's needs be circulated to other relevant departments to determine if the City has any interest in retaining ownership. CARRIED

r) **Licence of Occupation Between the City and Mario Avati and Mary Melanie Avati**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-8 is listed under Item 10 of the Minutes.

s) **Yard Maintenance By-law and Property Standards By-law**

The report of the City Solicitor was received by Council.

The relevant By-laws 2012-9 and 2012-10 are listed under Item 10 of the Minutes.

t) **Third Line at Great Northern Road – Eastbound Right Turn Lane**

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

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Director of Engineering Services dated 2012 01 09 concerning Third Line at Great Northern Road – Eastbound Right Turn Lane be received as information. CARRIED

u) **Connecting Links – 2012-2016 5-Year Plan and Request for 2012 MTO Allocation**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Director of Engineering Services dated 2012 01 09 concerning Connecting Links – 2012-2016 5-Year Plan and Request for 2012 MTO Allocation be received as information. CARRIED

v) **Northern Avenue, East of Pine Street – Request for Reduction in Speed Limit**

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

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 01 09 concerning Northern Avenue, East of Pine Street – Request for Reduction in Speed Limit be received as information. CARRIED

w) **Request for an Increased Level of Service by the Downtown Association**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Public Works and Transportation dated 2012 01 09 concerning Request for an Increase Level of Service by the Downtown Association be received as information. CARRIED

x) **Bloor Street West (West of Lyons Avenue) – Change of Traffic Flow from One Direction to Two**

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

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 01 09 concerning Bloor Street West (west of Lyons Avenue) – Change of Traffic Flow from One Direction to Two be received and further that the recommendation to change direction of traffic flow from one way to two way upon any further reconstruction be approved. CARRIED

y) **McNabb Street and MacDonald Avenue Stormwater Flooding Investigative Study – Consultant Selection**

The report of the Design and Construction Engineer was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Design and Construction Engineer dated 2012 01 09 concerning McNabb Street and MacDonald Avenue Stormwater Flooding Investigative Study Signal be accepted and the recommendation to retain Tulloch Engineering Inc. to conduct the study subject to an Engineering Agreement brought to Council at a later date be approved. CARRIED

z) Correspondence from the Ministry of Natural Resources was received by Council.

aa) **Public Budget Input Sessions**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 01 09 concerning Public Budget Input Sessions be received as information. 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**

**a) Application No. A-3-12-Z – Marino DeGregorio and Anna DeGregorio – 245 Wallace Terrace**

The report of the Planning Division was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2012 01 09 concerning Application No. A-3-12-Z – filed by Marino and Anna DeGregorio – 245 Wallace Terrace be received and that City Council accepts this report and approve the request to rezone the property to “C1” (Traditional Commercial) by repealing Special Exception No. 59 which restricts the use to an automobile repair shop and the sale of used vehicles. CARRIED

**b) Application No. A-4-12-Z.OP – Ficmar Holdings Inc. – 1092 Great Northern Road**

The report of the Planning Division was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the report of the Planning Division dated 2012 01 09 concerning Application No. A-4-12-Z.OP – Ficmar Holdings Inc. – 1092 Great Northern Road be received and that City Council accept this report and approve the application subject to the 5 conditions contained in the report. CARRIED

**c) Application No. A-5-12-Z – Giancarlo Viotto and Maria Viotto – 6 Village Court**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2012 01 09 concerning Application No. A-5-12-Z – filed by Giancarlo and Maria Viotto – 6 Village Court

be received and that City Council accept this report and approve the request to rezone the subject property from “C4” (General Business) zone to “CT2” (Commercial Transitional) zone subject to confirmation of compliance with the requirements of the Ontario Building Code. CARRIED

**(7) PUBLIC WORKS AND TRANSPORTATION**

**a) Recycling Contract Extension – Green Circle Environmental**

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

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 01 09 concerning Recycling Contract Extension – Green Circle Environmental be accepted and the recommendation to enter into an agreement with Green Circle Environmental for a ten year extension – Option No. 1 – implementation of automated carts and collection trucks be approved. CARRIED

Councillor Niro declared a pecuniary interest – employer has a service contract with the proponent

**(8) BOARDS AND COMMITTEES**

**a) Ermatinger•Clergue National Historic Site – Heritage Discovery Centre (HDC)**

The report of the Chairperson of the Historic Sites Board was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the report of the Chairperson, Historic Sites Board dated 2012 01 09 concerning Ermatinger•Clergue National Historic Site Heritage Discovery Centre be accepted and the recommendation that City Council re-endorse its support of the Heritage Discovery Centre as follows:

- a. That submission of applications for significant capital funding to various federal and provincial programs be authorized;
  - b. That the broadly targeted, multi-year fundraising campaign being undertaken by the Historic Sites Board to recruit sponsors be endorsed;
  - c. That City Council commit to support the ongoing annual operations of the proposed Centre should it be built (assuming that the cost to operate the site nets to zero if projected revenues are realized – additional annual operating costs to the City to range from \$12,000 to \$105,000 on best-case and worst-case scenarios),
- be approved. CARRIED



b) **Heritage Discovery Centre - Ermatinger•Clergue National Historic Site**

The report of the Financial Analyst was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Financial Analyst dated 2012 01 09 concerning funding of the Heritage Discovery Site be received as information. CARRIED

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

a) Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas issues relating to Emergency Medical Services (EMS) transferring patients to appropriate staff has resulted in periodic serious time delays (2 to 7 hours); and

Whereas this can compromise the ambulance service provided to the community in certain situations and also incur extra cost for providing this essential service;

Now Therefore Be It Resolved that Council request through District of Sault Ste. Marie Social Services Administration Board (DSSAB) a report on how the Sault Area Hospital (SAH) is attempting to resolve the present untenable situation. CARRIED

b) Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Be It Resolved that Council request of Algoma Public Health to test public drinking fountains to ascertain whether any health risks are present; and

Further that Algoma Public Health be requested to recommend a systematic approach/ maintenance guidelines to ensure hygienic safety of drinking fountains across the city. CARRIED

c) **NOTICE OF MOTION**

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas a group of local businessmen approached the City in late summer of 2010 regarding the possibility of receiving approval for "the development of a historic religious grotto dedicated to St. Mary on Prince Island in Bellevue Park"; and

Whereas the proposal was presented and considered by City Council at its meeting of September 13, 2010; and

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

Whereas the current City Council called for a public meeting held on June 16, 2011 to allow an appropriate forum for discussion on the proposal; and

Whereas on June 27, 2011 City Council asked for a review and update of all Master Plans for City parks including Bellevue Park; and

Whereas in addition to the review City Council deferred any new non-traditional uses of public recreational lands in Sault Ste. Marie, including the use and maintenance agreement for the proposed grotto; and  
Whereas on November 7, 2011 City staff reported to City Council that such a review and update of Master Plans for all City parks would require close to 24 months for completion; and  
Whereas also on November 7, 2011 City Council received from the City's Corporate Counsel, an opinion regarding the implications of the Charter of Rights and Freedoms on the grotto if it was to be located in Bellevue Park; and  
Whereas it is not the intention of City Council to wait anywhere from 12 to 24 months to arrive at a final decision on the proposed grotto;  
Now Therefore Be It Resolved that City Council ask staff to consolidate all the information to date on the proposed grotto and prepare the required report to be presented at the Council Meeting on February 6, 2012.

**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 S. Butland

Seconded by: Councillor F. Manzo

Resolved that all by-laws listed under Item 10 of the Agenda under date January 9, 2012, save and except 2012-9 and 2012-10 be approved. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-1 being a by-law to consolidate amendments to Traffic By-law 77-200 be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-2 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor F. Manzo  
Resolved that By-law 2012-3 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor F. Manzo  
Resolved that By-law 2012-4 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 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor F. Manzo  
Resolved that By-law 2012-5 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 284 North Street (Berto) be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor F. Manzo  
Resolved that By-law 2012-6 being a by-law to designate the lands located at 284 North Street an area of site plan control (Robert Ronald Berto) be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor F. Manzo  
Resolved that By-law 2012-7 being a by-law to repeal by-law 2011-134 (a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision) and to replace it with By-law 2012-7 be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor F. Manzo  
Resolved that By-law 2012-8 being a by-law to authorize a Licence agreement between the City and Mario Avati and Mary Melanie Avati for the use of a portion of the City owned land abutting 63 Peach Drive, Sault Ste. Marie, Ontario be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Moved by: Councillor S. Butland  
Seconded by: Councillor J. Krmpotich  
Resolved that By-law 2012-9 being a Property Standards by-law for the Corporation of the City of Sault Ste. Marie be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Recorded Vote:

For: 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

Against: Councillor F. Manzo

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that By-law 2012-10 being a yard maintenance by-law for The Corporation of the City of Sault Ste. Marie be PASSED in open Council this 9<sup>th</sup> day of January, 2012. CARRIED

Recorded Vote:

For: 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

Against: Councillor F. Manzo

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that Council shall now go into Caucus to discuss:

1. the proposed disposition of a property on Fourth Line West; and  
Further Be It Resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matters without the need for a further authorizing resolution.

**12. ADDENDUM TO THE AGENDA**

**13. ADJOURNMENT**

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that this Council now adjourn.

DEBBIE AMAROSO  
MAYOR

RACHEL TYCZINSKI  
CITY CLERK