

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 02 06

4:30 P.M.

COUNCIL CHAMBERS

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

Absent: Councillor B. Watkins (vacation), P. Christian (ill)

Officials: M. White, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, D. McConnell, P. Milosevich,

1. ADOPTION OF MINUTES

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2012 01 23 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 T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the Agenda for 2012 02 06 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Patricia Niblett, Kiara Hamilton and Marayna Guzzo – Kiwedin Public School

were in attendance concerning Anti-Bullying Day in Canada.

- b) Trevor Wood, Co-ordinator – Transportation Infrastructure Committee, were in attendance concerning agenda item 6.(8)(a).
- c) Christine Pagnucco, Manager – Sault Ste. Marie Physician Recruitment and Retention and Dr. Alan McLean were in attendance concerning agenda item 6.(8)(b).
- d) Paul Merlino and Gerald Smith, were in attendance concerning agenda item 6.(8)(a).
- e) Peter Vaudry was in attendance concerning agenda item 7.(c).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that all the items listed under date 2012 02 06 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO, OGRA was received by Council.
- b) Correspondence from the City of Kingston (concerning a Canadian-European Comprehensive Economic and Trade Agreement), Municipality of Arran-Elderslie (concerning wind turbines) and East Ferris Municipality (concerning proposed change to Part 8 of the Ontario Building Code) was received by Council.
- c) A letter from the Township of St. Joseph concerning the withdrawal of MNR counter services in Sault Ste. Marie was received by Council.
- d) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from October 1, 2011 to December 31, 2011 is \$343,070 was received by Council.
- e) **Staff Travel**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Administrative Officer dated 2012 02 06 concerning Staff Travel requests be approved as requested. CARRIED

f) **Appointment – Municipal Heritage Committee**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that citizen Chris Tossell be appointed to the Municipal Heritage Committee from February 6, 2012 to December 31, 2012. CARRIED

g) **Property Tax Appeals**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

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 2012 02 06 be approved and that the tax records be amended accordingly. CARRIED

h) **2012 Ontario Municipal Partnership Fund (OMPF) Grant**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the Commissioner of Finance and Treasurer concerning 2012 grant allocation under the Ontario Municipal Partnership Fund (OMPF) from the Province of Ontario be received as information. CARRIED

i) **20-Minute Sault Ste. Marie Makeover**

The report of the Environmental Initiatives Co-ordinator was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor T. Sheehan

Resolved that the report of the Environmental Initiatives Co-ordinator dated 2012 02 06 concerning 20 Minute Sault Ste. Marie Makeover be accepted and the recommendation that Council encourage community participation in this event be approved. CARRIED

j) **Millennium Court Storm Water Retention Pond Repair**

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

The relevant By-law 2012-29 is listed under Item 10 of the Minutes.

k) **Open Air Burning – Follow Up Report**

The report of the Assistant Chief, Fire Prevention and Public Education was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Assistant Fire Chief – Fire Prevention and Public Education dated 2012 02 06 concerning Open Air Burning be accepted and the recommendations outlined in the report be approved. CARRIED

I) Designated Fire Routes – 80 Weldon Avenue and 750 North Street

The report of the Assistant City Solicitor was received by Council.

The relevant By-law 2012-33 is listed under Item 10 of the Minutes.

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-7-12-Z – Fiorenzo Merlino – 390 Sydenham Road

The report of the Planning Division was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Planning Division dated 2012 02 06 concerning Application No.A-7-12-Z – filed by Fiorenzo Merlino – 390 Sydenham Road be received and that City Council accepts this report and approves the request to rezone the property to “R3” (Low Density Residential) to permit a maximum of two units. CARRIED

Recorded Vote:

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

Against: Councillors L. Turco, F. Manzo

Absent: Councillor B. Watkins, P. Christian

b) **Renewable Energy Project Approvals**

The report of the Planning Director was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Division dated 2012 02 06 concerning Renewable Energy Project Approvals be accepted and the recommendations to adopt the outlined approach to municipal consultation, institute a \$1,200 fee to complete the required Municipal Consultation Form and direct staff to remove all references to renewable energy uses in the City's Zoning By-law be approved. CARRIED

(7) **PUBLIC WORKS AND TRANSPORTATION**

(8) **BOARDS AND COMMITTEES**

a) **Regional Harbour Initiative**

The report of the Co-ordinator, Transportation Infrastructure Committee was received by Council.

The relevant By-law 2012-34 is listed under Item 10 of the Minutes.

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Whereas City Council has recently reconfirmed the establishment of a Regional Harbour as its highest infrastructure priority and entrusted the leadership of this project to the Transportation Infrastructure Committee; and Whereas at the meeting of 2011 02 22 Council approved that the initiatives and activities of the Transportation Infrastructure Committee are to be funded from the Huron Central Railway strategy surplus account of approximately \$200,000; and

Whereas the first step in advancing the project was to approach Senior Levels of government for funding of a Sault Ste. Marie Regional Harbour Market Assessment and Feasibility Study for a total of \$175,000 with contributions of \$25,000 by Essar Steel Algoma, \$50,000 by the City of Sault Ste. Marie and the balance of funding to be an application for a grant to FedNor; and

Whereas Industry Canada FedNor, through Minister Clement announced approval of the \$100,000 of funding towards the cost of a Market Assessment and Feasibility Study on January 17, 2012; and

Whereas the City, following a request for proposals, has selected the firm of KPMG to complete a Market Assessment and Feasibility Study;

Now Therefore Be It Resolved that Council authorizes the engagement of KPMG by way of contract to complete the Market Assessment and Feasibility Study for a Regional Harbour and confirms a \$50,000 contribution towards the cost of the Market Assessment and Feasibility Study. CARRIED

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Whereas on January 12, 2012, Minister Clement announced funding approval for \$100,000 from Industry Canada FedNor towards the cost of a Market Assessment and Feasibility Study for the establishment of a Regional Harbour; and

Whereas this project is identified as the City's highest infrastructure priority;

Now Therefore Be It Resolved that Council extends their thanks to Minister Clement for funding that will help move the harbour initiative forward.
CARRIED

b) Sault Ste. Marie Physician Recruitment and Retention

The report of the Physician Recruitment and Retention Office dated February 2012 was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Sault Ste. Marie Physician Recruitment and Retention Office dated February 2012 concerning the Sault Ste. Marie Physician Recruitment and Retention Activity Report and Proposed 2012/2013 Budget request to the City in the amount of \$464,850 for the period of April 1, 2012 to March 31, 2013 to be funded from the Hospital Development Fund be approved. CARRIED

c) Sault Ste. Marie's Smart Energy Strategy

The report of the consultant was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor R. Niro

Resolved that item 6.(8)(c) be postponed until the February 21, 2012 Council meeting. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor T. Sheehan

Whereas Sault Ste. Marie has declared itself to be the Alternative Energy Capital of North America; and

Whereas the City in collaboration with the Innovation Centre has commissioned a study to develop a "Smart (Alternative) Energy Strategy"; and

Whereas the recommendations presented by Parker Venture Management will require consideration and reaction by various parties including appropriate City staff as to specific City involvement;

Now Therefore Be It Resolved that Council accepts the study's recommendations as information with approval in principle to proceed with the planning of the implementation of these recommendations. DEFERRED

*It is anticipated that an application to the Economic Diversification Fund will be forwarded to the Economic Development Corporation Board and subsequently to Council for their approval.

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

- a) Moved by: Councillor R. Niro
Seconded by: Councillor T. Sheehan

Whereas a group of local businessmen approached the City in late summer 2010 regarding the possibility of receiving approval for "the development of an 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 going 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 of February 21, 2012. CARRIED

- b) Moved by: Councillor P. Mick
Seconded by: Councillor S. Myers

Whereas council dealt with a complaint from one neighbour of 1425 Old Garden River Road in 2008; and

Whereas over two dozen of the neighbours attended a council meeting in support of the residents at 1425 Old Garden River Road; and

Whereas about 50 neighbours in the vicinity signed a petition in support of the residents at 1425 Old Garden River Road; and

Whereas Mayor Rowswell suggested at that meeting that a fence would be unnecessary, and that a vegetative barrier (i.e. vines) would be appropriate, and council agreed; and

Whereas the 2 subsequent owners of the original complainant's property have submitted letters of support for the residents at 1425 Old Garden River Road; and

Whereas Tyler Bertrand found the property in compliance (mostly recently in July, 2011); and

Whereas the single complaint has resurfaced yet again as the leaves on the vine died in winter months;

Now Therefore Be It Resolved that council requests staff to defer prosecution until The report has been made explaining to present council members what has transpired on these properties. CARRIED

- c) Moved by: Councillor R. Niro
Seconded by: Councillor T. Sheehan

Whereas the community of Sault Ste. Marie has an aging population with 35% of our population being over 60 years of age in 2018 and 41% by 2028 according to Census data; and

Whereas it is important for the community to come together and develop a plan to make Sault Ste. Marie an Age Friendly Community to ensure continued quality of life for all of its citizens; and

Whereas an Age Friendly City focuses on Outdoor Spaces and Buildings, Transportation, Housing, Social Participation, Respect and Social Inclusion, Civic Participation and Employment, Communication and Information plus Community and Health Services; and

Whereas the WHO (World Health Organization) provides a guide of community assessments to support planning, policies and program decisions to ensure age friendly features in the above noted core areas; Now Therefore Be It Resolved that City Council support the Mayor's initiative to obtain designation as an Age Friendly City with the formation of a working committee comprised of various community partners, City staff as required and co-chaired by community champion Peter Vaudry. CARRIED

- d) Moved by: Councillor F. Fata
Seconded by: Councillor M. Bruni

Whereas City Council has another difficult budget coming up for 2012; and

Whereas there are many seniors on fixed incomes and many other property owners who already pay very high property taxes; and

Whereas there must be accountability for how our tax dollars are being spent; and

Whereas City Council has asked for and received a report from the Commissioner of Social Services in the past; and

Whereas a quarterly report indicating the performance and results of 6 employment officers whose duties are to find employment for claimants with the intent to get them off social assistance;

Now Therefore Be It Resolved that the Commissioner of Social Services reports to City Council quarterly with the first report to come to Council March 19th, followed by June 25th, September 24th and December 3rd, 2012. The key piece of information on the spreadsheet is the number of able bodied claimants that have been taken off social assistance and the amount of tax dollars saved during this period. DEFEATED

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. Myers

Seconded by: Councillor F. Fata

Resolved that all by-laws listed under Item 10 of the Agenda under date February 6, 2012 be approved. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-26 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 15 Alpine Street be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-27 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 and 2005-151 concerning lands located at 103 Asquith Street be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-28 being a by-law 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 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-29 being a by-law to authorize a contract between the City and Avery Construction Limited for the Millennium Court Storm Water

Management ("SWM") Pond be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-30 being a by-law to amend Committee of Adjustment By-law 2010-87 be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-31 being a by-law to amend By-law 2003-140 regarding fees for certain waste management services be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-32 being a by-law to amend Streets By-law 2008-131 be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-33 being a Fire Route by-law to amend By-law 81-404 be Passed in open Council this 6th day of February, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-34 being a by-law to authorize an agreement between the Corporation of the City of Sault Ste. Marie and KPMG dated February 6, 2012 be Passed in open Council this 6th day of February, 2012. 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 T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that this Council now adjourn. CARRIED

Debbie Amaroso
MAYOR

Malcolm White
CITY CLERK