

# MINUTES

## REGULAR MEETING OF CITY COUNCIL

2012 06 11

4:30 P.M.

## COUNCIL CHAMBERS

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

**Absent:** Mayor D. Amaroso, Councillor F. Manzo

**Officials:** J. Fratesi, R. Tyczinski, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, P. Tonazzo, T. Reid

### 1. ADOPTION OF MINUTES

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2012 05 28 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 and Addendum #1 for 2012 06 11 City Council meeting as presented be approved. CARRIED

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

- a) Paul Bolan, Bio-Forest Technologies was in attendance concerning agenda item 5.(n).
- b) Ross Viotto and John McDonald, Tulloch Engineering were in attendance concerning agenda item 6.(6)(a).
- c) Adam Kinuunen, Nadene House were 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 J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that all the items listed under date 2012 06 11 – Part One – Consent Agenda be approved as recommended save and except Agenda item 5.(i) and 5.(n). CARRIED

- a) Correspondence from OGRA was received by Council.
- b) Correspondence from the Township of Cockburn Island (congratulating the City on its 100<sup>th</sup> Anniversary); the Regional Municipality of Peel (concerning Provincial Action Plan for Health Care); the Regional Municipality of Halton (concerning Universal Influenza Immunization Program); and the Municipality of Clarington (concerning Regulations for the Movement of Commercial Fill) was received by Council.
- c) Correspondence from the Canadian Red Cross (concerning home maintenance snow removal program) was received by Council.
- d) Letters of request for temporary street closings were received by Council.
  - 1. Rotaryfest 2012 – Russ Ramsay Way – south of the entrance to the Seniors Drop-In Centre parking lot, Foster Drive east of the Civic Centre south parking lot – July 21, 2012 from 7:00 a.m. to 5:30 p.m.  
Rotary Day Parade – Bay Street from Brock Street to Pim Street; lower Pim Street from Bay Street to Queen Street – July 21, 2012 from 9:00 a.m. to 12:00 p.m. – Queen Street East from Pim Street to Gore Street – July 21, 2012 from 10:00 a.m. to 1:00 p.m.  
Tenaris Second Stage – Queen Street between East Street and Brock Street – July 20, 2012 from 3:00 p.m. to 11:00 p.m. and July 21, 2012 from 1:00 p.m. to 12:00 a.m.

2. Downtown Days – Queen Street from East Street to Dennis Street – July 19, 2012 from 6:00 p.m. to 11:00 p.m.
3. Buskerfest – Queen Street from East Street to Brock Street – August 10, 2012 from 3:30 p.m. to 11:00 p.m.; August 11, 2012 from 11:00 a.m. to 11:00 p.m. and August 12, 2012 from 11:00 a.m. to 7:00 p.m.

The relevant By-laws 2012-111, 2012-115 and 2012-116 are listed under Item 10 of the Minutes.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that City Council approves the use of Clergue Park and John Rowswell Park green space (July 14, 2012 through July 22, 2012); the Civic Centre north green space (July 14, 2012 through July 22, 2012); and the Civic Centre north and south parking lots (July 20, 2012 and July 21, 2012) for events in conjunction with Rotaryfest 2012. CARRIED

e) **AMO Board of Directors Nomination**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that Councillor Turco be nominated by the City of Sault Ste. Marie to the Association of Municipalities of Ontario (AMO) Board of Directors – Large Urban Caucus for a two year term (2012 – 2014). CARRIED

f) **Community Theatre Centre Management Board Nomination**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that Ben Pritchard be nominated as a member of the Community Theatre Centre Management Board of Directors for the period May 30, 2012 to May 30, 2014. CARRIED

g) **Tender for Ready-Mix Concrete**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Purchasing dated 2012 06 11 be endorsed and that the tender for the supply of Ready-Mix Concrete as required during the 2012 construction season by the Public Works and Transportation Department be awarded as recommended. CARRIED

h) **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 2012 06 11 be approved and that the tax records be amended accordingly.  
CARRIED

i) **Dog Park and Gravity Park Projects**

The report of the Commissioner of Community Services was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Commissioner of Community Services dated 2012 06 11 concerning Dog Park and Gravity Park Projects be received and that the appropriate staff be directed to resume reporting to City Council on these projects. CARRIED

j) **Contract 2012-7E – Peoples Road Resurfacing – Everett Road to Third Line East – Airport Road – Base Line to Airport Entrance**

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

The relevant By-law 2012-113 is listed under Item 10 of the Minutes.

k) **Contract 2012-8E – Miscellaneous Construction/Paving**

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

The relevant By-law 2012-114 is listed under Item 10 of the Minutes.

l) **Potential Sale of City Owned Property Adjacent to 158 Sackville Road**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-118 is listed under Item 10 of the Minutes.

m) **Licence of Occupation Between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander Abutting 1097 Queen Street East**

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

The relevant By-law 2012-119 is listed under Item 10 of the Minutes.

n) **Emerald Ash Borer Treatment Program – 2012**

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

Moved by: Councillor P. Mick

Seconded by: Councillor B. Watkins

That motion under agenda item 5.(n) be amended by adding the words “for a one year period” after the words “sole-sourced” and before the words “to provide” and to delete the words “further that Bio-Forest Technologies Inc. be approved for future EAB injection programs subject to program evaluation and annual budget approval”. CARRIED

Mover: Councillor F. Manzo

Seconder: Councillor S. Butland

Resolved that the report of the Deputy Commissioner, Public Works and Transportation concerning Emerald Ash Borer Treatment Program – 2012 be received and that BioForest Technologies Inc. be sole-sourced to provide and administer injections to City ash trees; further that BioForest Technologies Inc. be approved for future EAB injection programs subject to program evaluation and annual budget approval. AS AMENDED – CARRIED

o) **Hub Trail Signage Update – Distance Marker Signs**

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 2012 06 11 concerning Hub Trail Signage Update – Distance Marker Signs 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-19-12-Z – Ross Viotto – 131 Second Line East**

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 2012 06 11 concerning Application No. A-19-12-Z filed by Ross Viotto – 131 Second Line East be received and that City Council approve the request to rezone the subject property from “PR” (Parks and Recreational Zone) to “R2.S” (Single Detached Residential Zone) with a Special Exception prohibiting access to Second Line East; and

Further Be It Resolved that Council pass a Holding Provision by-law with respect to the subject property pursuant to Section 36 of the Planning Act. The removal of the holding provision would be conditional upon Council’s satisfaction that the issues contained in the report are addressed by a geotechnical specialist, whose credentials must be approved by the Commissioner of Engineering and Planning or designate prior to commencing with the Geotechnical Study; and

Further Be It Resolved that the property be designated subject to site plan control. CARRIED

Pecuniary Interest – Councillor Watkins – owns abutting property.

**(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) Moved by: Councillor S. Butland

Seconded by: Councillor S. Myers

That terms of the procedural by-law be suspended to permit the Acting Mayor to remain in the Chair while a motion moved by him is under consideration. CARRIED

Moved by: Councillor R. Niro

Seconded by: Councillor S. Butland

Whereas the local non-profit organization for the Kidney Foundation of Canada operates under the name of Kidney Clothes; and

Whereas Kidney Clothes raises money for kidney disease research by collecting used clothing at some 35 drop off boxes throughout the City of Sault Ste. Marie; and

Whereas each year they divert more than 2 million pounds from the City’s landfill site through their recycling program; and

Whereas each month Kidney Clothes pays anywhere from \$200 to \$300 per month in landfill fees to discard broken furniture and other non-sellable items which are left at the drop off boxes by people looking to avoid paying landfill fees;

Now Therefore Be It Resolved that the appropriate City staff be requested to review and report back to Council on the impact of possible reductions in landfill fees for Kidney Clothes and other similar organizations seeking to offset the cost of discarding non-useable items left at their drop off boxes. 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 J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all by-laws listed under Item 10 of the Agenda and Addendum #1 under date June 11, 2012 be approved. CARRIED

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2012-105 being a by-law to adopt Amendment No. 186 to the Official Plan for the City of Sault Ste. Marie (680 Fifth Line East) be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2012-108 being a by-law to authorize an agreement between the City, the Province and the Sault Ste. Marie Police Services Board to renew the Community Policing Partnerships (CPP) Program effective April 1, 2012 to March 31, 2014 be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Pecuniary Interest – Councillor Turco – family member employed by Police Services.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2012-109 being a by-law to authorize an agreement between the City, the Province and the Sault Ste. Marie Police Services Board to renew the Safer Communities – 1,000 Officers Partnership (1,000 Officers) Program effective April 1, 2012 to March 31, 2014 be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Pecuniary Interest – Councillor Turco – family member employed by Police Services.

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-110 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 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-111 being a by-law to permit the temporary closing of various streets to facilitate Rotaryfest 2012 from July 19<sup>th</sup> until July 21<sup>st</sup>, 2012 be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-112 being a by-law to prohibit vendors from locating on or near the grounds of Rotaryfest 2012 be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-113 being a by-law to authorize a contract between the City and Pioneer Construction Inc. for the resurfacing of Peoples Road and Airport Road (Contract 2012-7E) be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-114 being a by-law to authorize a contract between the City and Ellwood Robinson Limited for the resurfacing of Bruce Street from Wellington Street to Salisbury Avenue and Allen Side Road from Third Line West to 1200 meters north (Contract 2012-8E) be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-115 being a by-law to permit the temporary closing of Queen Street East from Pilgrim Street to Dennis Street for the purpose of Downtown Days be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-116 being a by-law to permit the temporary closing of Queen Street East from East Street to Brock Street to facilitate the 2012 Buskerfest be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED



Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-117 being a by-law to prohibit vendors from locating on or near the Buskerfest grounds on Queen Street East from East Street to Brock Street be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-118 being a by-law to authorize the sale of surplus property located adjacent to 158 Sackville Road to S & T Electrical Contractors Limited be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor S. Butland  
Resolved that By-law 2012-119 being a by-law to authorize a Licence Agreement between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander for the use of a portion of the City owned land abutting 1097 Queen Street East, Sault Ste. Marie, Ontario be PASSED in open Council this 11<sup>th</sup> day of June, 2012. CARRIED

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

Resolved that Council shall now go into Caucus as shareholder of PUC Inc. concerning:

1. security of property of the municipality;

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. CARRIED

**12. ADDENDUM TO THE AGENDA**

**13. ADJOURNMENT**

Moved by: Councillor J. Krmpotich  
Seconded by: Councillor P. Christian  
Resolved that this Council now adjourn. CARRIED

**RICK NIRO**  
ACTING MAYOR

**MALCOLM WHITE**  
CITY CLERK