

# MINUTES

## REGULAR MEETING OF CITY COUNCIL

2012 09 24

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, R. Tyczinski, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, M. Zuppa, D. McConnell

#### 1. ADOPTION OF MINUTES

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2012 09 10 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. Mick

Seconded by: Councillor R. Niro

Resolved that the Agenda and Addendum #1 for 2012 09 24 City Council meeting as presented be approved. CARRIED

#### 4. DELEGATIONS/PROCLAMATIONS

- a) Reeve Ken Lamming, Township of Prince was in attendance to make a presentation to the City.

- b) Jodi Nastor, 2012 United Way Volunteer Campaign Chair was in attendance concerning proclamation – United Way Day.
- c) Phil Wong, Public Health Inspector was in attendance concerning proclamation – Environmental Public Health Week.
- d) A proclamation concerning Active Aging Week was read.
- e) A proclamation concerning Fire Prevention Week was read.
- f) Matt Trainor – Chair, Community Advisory Committee for Learning Disabilities Sault Ste. Marie was in attendance concerning proclamation – Learning Disabilities Awareness Month.
- g) A representative of Community Outreach was in attendance concerning proclamation – World Habitat Day.
- h) Nick Apostle, Commissioner of Community Services was in attendance to present the Community Services Department 2012 budget and year-to-date financial information. See Minutes item 5.(f).
- i) Bud Campbell, Bill Howe, Lisa Fletcher, Brian Gualazzi and John Donovan were in attendance concerning agenda item 6.(6)(a).
- j) Robert Paciocco, Justus Veldman, CEO and Willem Galle, Executive Chairman, Riversedge Developments Inc. were in attendance concerning agenda item 6.(6)(c).
- k) Robert Paciocco was in attendance concerning agenda item 6.(6)(a) and agenda item 6.(6)(b).
- l) Bob Dumanski and Cosimo and Marisa Martella (on behalf of Mario Coccimiglio) were in attendance concerning agenda item 6.(6)(c).

## ***PART ONE – CONSENT AGENDA***

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that all the items listed under date 2012 09 24 – Part One – Consent Agenda be approved as recommended save and except Agenda item 5.(p).

- a) Correspondence from AMO was received by Council.

- b) A letter from the City of Elliot Lake concerning the recent donation by Sault Ste. Marie to their community was received by Council.
- c) A letter from the Chair, Historic Sites Board concerning the Heritage Discovery Centre – Project Update was received by Council.
- d) Correspondence requesting permission for private liquor license extension was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that City Council has no objection to the proposed extended licensed area as detailed in the written request for a liquor license extension on private property for an outdoor event on the following stated date and time:

Lifeforia Wellness Club

681 Pine Street

Grand Opening Celebration – September 29, 2012 from 1:00 p.m. to 1:00 a.m. (September 30<sup>th</sup>).

CARRIED

- e) The current list of Outstanding Council Resolutions was received by Council.
- f) Financial Statements (budget and year-to-date) from the Community Services Department were received by Council.
- g) **Staff Travel**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Chief Administrative Officer dated 2012 09 24 concerning Staff Travel requests be approved as requested. CARRIED

- h) **Property Tax Appeals**

The report of City Tax Collector was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that Pursuant to Sections 334 and 357 of the Municipal Act, 2001, that the adjustments for the tax accounts outlined on the City Tax Collector's report of 2012 09 24 be approved and that the tax records be amended accordingly. CARRIED

- i) **Asset Management Plan**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 09 24 concerning an asset management plan be received and the recommendation that City staff be authorized to proceed to a Request for Proposal for a facility condition assessment of major buildings and the funding be provided from the Facility Maintenance Reserve, be approved. CARRIED

j) **Corporate Strategic Plan 2011-2014 Progress Report #4**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the Report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 09 24 concerning Progress Report #4 – 2011-2014 Corporate Strategic Plan be received as information. CARRIED

k) **Algoma Bioseptic Technologies Biosolids Composting Pilot Indemnity Agreement**

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

The relevant By-law 2012-177 is listed under Item 10 of the Minutes.

l) **Central Creek (small) Aqueduct Reconstruction First Phase**

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

The relevant By-law 2012-178 is listed under Item 10 of the Minutes.

m) **Roosevelt Pedestrian Bridge – Replacement**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Director of Engineering Services dated 2012 09 24 concerning Roosevelt Pedestrian Bridge - Replacement be accepted and the recommendation to replace the bridge at an estimated cost of \$30,000 funded from the 2012 miscellaneous construction budget be approved. CARRIED

n) **2013 Capital Construction – Consulting Engineering Assignment**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Director of Engineering Services dated 2012 09 24 concerning 2013 Capital Construction - Consulting Engineering Assignment be accepted and the recommendation to enter into an agreement with Genivar

for services related to the reconstruction of Kohler Street be approved.  
CARRIED

o) **Solar Photovoltaic Fit Applications**

The report of the Environmental Initiatives Coordinator was received by Council.

The relevant By-law 2012-175 is listed under Item 10 of the Minutes.

p) **Banning Wild/Exotic Animal Acts and Travelling Animal Circuses**

The report of the Solicitor/Prosecutor was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor S. Myers

Resolved that agenda item 5.(p) – Banning Wild/Exotic Animal Acts and Travelling Animal Circuses be deferred until October 9, 2012 Council Meeting.  
CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Solicitor/Prosecutor dated 2012 09 24 concerning Banning Wild/Exotic Animal Acts and Travelling Animal Circuses be received as information. DEFERRED

q) **City Noise By-law Update**

The report of the City Solicitor was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the City Solicitor dated 2012 09 24 concerning City Noise By-law Update be accepted and the recommendation to strike a committee consisting of members of Council, City staff and community stakeholders including representation from Algoma University, seniors housing and the Downtown Association to review the existing noise by-laws and make recommendations as to possible amendments be approved. CARRIED

r) **Easement Required for Storm Water Retention Pond Discharge for Mar-Li Investments Access to City Owned Property – Part of PIN 31561-0088 Part of Lot 1 H744**

The report of the Solicitor was received by Council.

The relevant By-law 2012-176 is listed under Item 10 of the Minutes.

s) **Digital Signs By-law**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 24 concerning the Digital Signs By-law be received and that City Council defers a decision on the Digital Signs By-law and extend the moratorium on Digital Signs until October 9, 2012. CARRIED

t) **Agreement with the Ministry of Transportation (MTO) Winter Maintenance of Highway 550 (Second Line) and Highway 565 (Airport Road) Within Prince Township**

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

The relevant By-law 2012-180 is listed under Item 10 of the Minutes.

u) **Landfill Tipping Fee Rebate – Pilot Project Not-For-Profit Organizations**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 09 24 concerning Landfill Tipping Fee Rebate - Pilot Project Not-For-Profit Organizations be accepted and the recommendation to implement a pilot project for 2013 as outlined in the report 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**

##### **a) Solar Photovoltaic Fit Application and WECC Lease Agreement**

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

The relevant By-laws 2012-174 and 2012-181 are listed under Item 10 of the Minutes.

**(6) PLANNING**

a) **Application No. A-17-11-Z.OP and 57T-11-501 – Ruscio Investments Inc. – 184 Queensgate Boulevard**

The report of the Planning Division was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-17-11-Z.OP and 57T-11-501 – filed by Ruscio Investments Inc. – 184 Queensgate Boulevard be received and that City Council permit the requested 94 unit Single Detached residential development subject to the 4 conditions contained in the report. DEFEATED

Recorded Vote:

For: Councillors L. Turco, T. Sheehan, P. Mick

Against: Mayor D. Amaroso, Councillors S. Butland, S. Myers, M. Bruni, J. Krmpotich, B. Watkins, R. Niro, P. Christian, F. Fata, F. Manzo,

b) **Application No. A-27-12-Z.OP – GNR Business Center Limited – 733 Great Northern Road**

The report of the Planning Division was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-27-12-Z.OP – filed by GNR Business Center Limited – 733 Great Northern Road be received and that City Council approve Official Plan Amendment No. 130 and re-designate the entire parcel as ‘Commercial’ on land use schedule ‘C’ of the Official Plan, subject to a notwithstanding clause to permit the entire building to be utilized as a medical clinic; and Furthermore that City Council rezones the subject property by amending the existing Special Exception (214) subject to the 4 conditions contained in the report. CARRIED

c) **Application No. A-29-12-Z.OP – Palumbo Investments Inc. – 58 Blake Avenue**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-29-12-Z.OP – filed by Palumbo Investments Inc. – 58 Blake Avenue be received and that City Council denies the applicant’s request to

rezone and re-designate the subject property for future residential development purposes. CARRIED

Pecuniary Interest – Councillor T. Sheehan – relative resides on Blake Street.  
Councillor R. Niro – relative resides on Blake Street.

d) **Application No. A-30-12-Z.OP – Riversedge Developments Inc. – 75 Huron Street**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-30-12-Z.OP – filed by Riversedge Developments Inc. – 75 Huron Street be received and that City Council approve the request for Official Plan and Zoning amendments to permit the subject property to be used for various commercial, residential and institutional uses including a bio-energy technology campus with pilot plants relating to renewable energy subject to the 4 conditions contained in the report. CARRIED

**(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. Myers

Seconded by: Councillor T. Sheehan

Whereas our current by-law does not limit the number of cats or dogs an owner, tenant or occupant of a dwelling unit can keep, own or harbour or permit to be kept, owned or harboured in the dwelling unit; and

Whereas a recent issue in Ward Two has brought this matter forward; and

Whereas other municipalities such as Ajax, Barrie and Niagara Falls, Ontario do in fact limit the number of cats and dogs permitted in a dwelling unit;

Therefore Be It Resolved that the legal staff look into this matter, review our current by-law and report back to City Council with recommendations to include possible amendments to the by-law to limit the number of cats and dogs in a dwelling unit; and

Further Be It Resolved that the Humane Society be consulted for input.  
CARRIED

b) Correspondence is attached for the consideration of Council.



Mover: Councillor R. Niro

Seconder: Councillor L. Turco

Whereas the residents of Bridgeview Village have had difficulty entering North Street because of parked vehicles on the west side of North Street; and

Whereas these parked vehicles have blocked the view of oncoming traffic from both directions; and

Whereas the parked vehicles have caused some dangerous situations for the residents of Bridgeview Village;

Now Therefore Be It Resolved that the Manager of Traffic and Communications implement a complete parking prohibition on the west side of North Street and that the said prohibition extend from the most northern point of frontage to the most southern point of frontage of the Bridgeview Village;

Further that the letter from Harold McCarthy, Chairperson of the Bridgeview Homeowners Association be accepted by Council and that a copy be forwarded to the Manager of Traffic and Communications. 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 B. Watkins

Seconded by: Councillor R. Niro

Resolved that all by-laws listed under Item 10 of the AGENDA under date September 24, 2012 be approved. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-174 being a by-law to authorize the execution of one (1) Municipal Council Support Resolution to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program be PASSED in open Council this 24<sup>th</sup> day of September, 2012. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-175 being a by-law to authorize the execution of four (4) Municipal Council Support Resolutions to support four (4) solar photovoltaic applications being submitted to the Ontario Power Authority Feed-In-Tariff Program be PASSED in open Council this 24<sup>th</sup> day of September, 2012. CARRIED

Pecuniary Interest – Councillor Watkins – relative is the owner of one of the applicants. (Service Master – 105 Black Road)

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-176 being a by-law to grant an easement to Mar-Li Investments over a part of Lot 1 RCP H744 being Part 1 on 1R12214 for a stormwater retention pond discharge be PASSED in open Council this 24<sup>th</sup> day of September, 2012. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-177 being a by-law to amend By-law 2012-106 (a by-law to authorize an indemnity agreement between the City and PUC Services Inc. and Algoma Bioseptic Technologies for the provision of biosolids from the East End Plant for a pilot composting project) be PASSED in open Council this 24<sup>th</sup> day of September, 2012. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-178 being a by-law to authorize the execution of an agreement between the City and STEM Engineering Group Inc. for the design and contract administration for the small Central Creek Aqueduct Reconstruction be PASSED in open Council this 24<sup>th</sup> day of September, 2012. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-179 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 24<sup>th</sup> day of September, 2012. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-180 being a by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the provision of winter maintenance of Highway 550 and Highway 565 in Prince Township be PASSED in open Council this 24<sup>th</sup> day of September, 2012. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that By-law 2012-181 being a by-law to authorize the execution of a lease agreement between the City and PUC Services Inc. for the installation of Photovoltaic Equipment on a portion of the roof on the building located at 556 Goulais Avenue, Sault Ste. Marie (West End Community Centre) be PASSED in open Council this 24<sup>th</sup> day of September, 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 B. Watkins

Seconded by: Councillor L. Turco

Resolved that this Council now adjourn. CARRIED

Debbie Amaroso  
Mayor

Malcolm White  
City Clerk