MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 06 25

4:30 P.M.

COUNCIL CHAMBERS

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

Absent: Councillor S. Butland

Officials: J. Fratesi, M. White, R. Tyczinski, N. Kenny, L. Girardi, N. Apostle, B.

Freiburger, J. Dolcetti, D. Elliott, D. McConnell, C. Taddo,

1. ADOPTION OF MINUTES

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that the Minutes of the Regular Council Meeting of 2012 06 11 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 F. Manzo Seconded by: Councillor P. Christian

Resolved that the Agenda for 2012 06 25 City Council meeting as presented be

approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) George Constable was in attendance to receive Ontario Ministry of Citizenship and Immigration 2012 Senior of the Year award.
- b) Jennifer Muio, Events Assistant, Community Services Department was in attendance with respect to CSD Best Practice video displays at CSD facilities.
- c) Malcolm White, City Clerk, was in attendance to present the City Clerk's Department 2012 budget and year-to-date financial information.
- d) Cindy Ellen Crawford, Regional Project Manager, Algoma 1812 was in attendance concerning Algoma 1812 events.
- e) Donna Hilsinger, Chair, Sault Ste. Marie Economic Development Corporation Tourism Gateway Committee and Tom Dodds, CEO, Sault Ste. Marie Economic Development Corporation were in attendance with respect to Agenda item 6.(8)(a).
- f) Scott McLeod was in attendance with respect to the 6.(6)(d).

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 25 – Part One – Consent Agenda and Addendum #1 be approved as recommended. CARRIED

- a) Correspondence from the Federation of Northern Ontario Municipalities (support for Bill 52: Ontario Forestry Industry Revitalization Act 2012) was received by Council.
- b) Correspondence from the Town of Tillsonburg (MTO Connecting Link Funding); and Town of Minto (Source Water Protection Program) was received by Council.
- c) Correspondence from Muscular Dystrophy Canada concerning Sault Ste. Marie Professional Fire Fighters Association fundraising \$2,693.49 was received by Council.
- d) Correspondence from the World Health Organization concerning WHO Global Network of Age-Friendly Cities and Communities was received by Council.
- e) Correspondence from the Minister of Infrastructure and Minister of Transportation concerning Reallocation of Connecting Link Funds is attached for the information of Council. *Please also refer to Agenda item 5.(r).*

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Whereas the Ministry of Transportation has approved a reallocation of \$700,000 from the City's 2010 allocation to be applied towards the Second Line East and Second Line/Pine Street intersection Connecting Link Project;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie extends its gratitude and appreciation to the Minister of Infrastructure, the Minister of Transportation, and MPP David Orazietti. CARRIED

- f) Correspondence from the Chief Administrative Officer addressed to the Ontario Lottery and Gaming Corporation with respect to Modernizing Land Based Gaming was received by Council.
- g) Correspondence from the Ontario Convenience Stores Association with respect to distribution and sale of contraband tobacco was received by Council.

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Whereas contraband tobacco has negative public consequences and impacts such as unrestricted youth access to tobacco products, and an increase in criminal activity; and

Whereas contraband tobacco products are easily accessible in our community; and

Whereas small businesses are sometimes forced to close because of the sale of contraband tobacco; and

Whereas small business in our community and government in general stand to benefit from the institution of tougher restrictions on contraband tobacco;

Now Therefore Be It Resolved that this Council request the Mayor write a letter to the Ontario Minister of Finance in support of the Ontario Government's most recent Budget commitments to eradicate contraband tobacco through the implementation of additional regulatory, enforcement and other provisions in Bill 186 and amendments to the *Tobacco Tax Act*; particularly, in support of measures such as:

- increased fines for those convicted of offences related to contraband tobacco;
- more authority for law enforcement officials with respect to: forfeiture of items seized, and impounding of vehicles;
- drawing on the best practices of other jurisdictions and working collaboratively with the federal government and other jurisdictions to enhance contraband tobacco control through joint enforcement efforts;

That the provincial government be encouraged to continue to strengthen their strategies to address the manufacture and supply of contraband tobacco and maintain their commitment to introduce amendments this fall to implement these measures; and

That surrounding municipalities be made aware of the actions taken by this Council to address contraband tobacco concerns. CARRIED

h) Correspondence from residents of Allen's Side Road addressed to Councillors Manzo and Krmpotich was received by Council.

Moved by: Councillor F. Manzo Seconded by: Councillor J. Krmpotich

Resolved that the correspondence and petition from residents of Allen's Side Road addressed to Councillors Manzo and Krmpotich concerning reconstruction of Allen's Side Road south of Second Line be referred to Engineering staff for review and report back to Council. CARRIED

- i) Letter of request for temporary street closing was received by Council.
 - 1) Italian Festival Cathcart Street from Hudson Street to Carmen's Way July 15, 2012 from 11:00 a.m. to 12:00 midnight.

The relevant By-law 2012-128 is listed under Item 10 of the Minutes.

j) Cemetery By-law

The report of the City Clerk was received by Council.

The relevant By-law 2012-129 is listed under Item 10 of the Minutes.

k) Corporate Strategic Plan 2011-2014 Progress Report #3

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

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 06 25 concerning Progress Report #3 – 2011-2014 Corporate Strategic Plan be received as information. CARRIED

1) Tender for One (1) Freestanding Modular Columbarium

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 25 be endorsed and that the tender for the supply and delivery of one (1) Freestanding Modular Columbarium for New Greenwood Cemetery as required by the Cemeteries Division of the Public Works and Transportation Department be awarded as recommended. CARRIED

m) Tender for Supply and Installation of Twenty-six (26) Overhead Doors – City Works Centre

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 25 be endorsed and that the tender for the supply and installation of twenty-six (26) Overhead Doors at the City Works Centre as required by the Public Works and Transportation Department be awarded as recommended. CARRIED

n) **Property Tax Appeals**

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

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

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 25 be approved and that the tax records be amended accordingly. CARRIED

o) Miscellaneous Construction – Bridge Work – Engineering Agreements

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

The relevant By-laws 2012-120 and 2012-121 are listed under Item 10 of the Minutes.

p) Miscellaneous Construction - Seawall Repairs at 711/719 Bay Street - Engineering Agreement

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

The relevant By-law 2012-122 is listed under Item 10 of the Minutes.

q) 2013 Capital Road Reconstruction Plan and Update on 2011/2012 Plan

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

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that the report of the Director of Engineering Services dated 2012 06 25 concerning 2013 Capital Road Reconstruction Plan and update on 2011/2012 Plan be received as information; and

Further that the 2012 Capital Works Program be approved; and

Further that the Engineering Division proceed with any remaining local improvement rolls and notices for 2013 works; and

Further that in order to ensure a timely construction start, the Engineering Division report back to Council with recommendations for retaining consulting engineers for projects that will not be completed in-house. CARRIED

r) 2012 Connecting Link Funding Allocation Second Line Widening – Old Garden River Road to Pine Street

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 2012 06 25 concerning 2012 Connecting Link Funding Allocation be received; and

Further that a maximum of \$700,000 allocated to the City of Sault Ste. Marie by the Province will be used for the specified connecting link capital improvements on Second Line East and the Second Line/Pine Street intersection; and

Further that a final project summary report detailing expenditures, use of provincial funding, and outcomes achieved be submitted to the Ministry of Transportation; and

Further that funds intended for this project that are not used in accordance with Ministry Connecting Link guidelines will be returned to the Ministry; and

Further that funds not expended by March 31, 2013 will be returned to the Province. CARRIED

s) Transportation Master Plan Update – Consultant Selection

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

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that the report of the Design and Construction Engineer dated 2012 06 25 concerning Transportation Master Plan Update – Consultant Selection be received and that HDR Corporation be retained to conduct the update to the Transportation Master Plan. CARRIED

t) Landfill Site, Operations and Monitoring 2011 – Environmental Monitoring Committee

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

Moved by: Councillor F. Manzo
Seconded by: Councillor P. Christian

Resolved that the report of the Land Development and Environmental Engineer dated 2012 06 25 concerning the annual Operations and Monitoring Reports for the municipal landfill be received as information. CARRIED

u) Biofilter Project – Contract 2011-7E

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

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that the report of the Land Development and Environmental Engineer dated 2012 06 25 concerning biofilter project be accepted as information. CARRIED

v) Environmental Initiatives Map

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 2012 06 25 concerning Environmental Initiatives Map be received and the recommendation that the Sault Ste. Marie Innovation Centre, Community Geomatics Centre complete the project at a cost of \$10,000 with funds from the Green Committee Reserve, be approved. CARRIED

w) Energy Planning Tool

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

The relevant By-law 2012-127 is listed under Item 10 of the Minutes.

x) Soo Sustainable

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

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that the report of the Environmental Initiatives Coordinator dated 2012 06 25 concerning Soo Sustainable be received as information. CARRIED

y) Policy Regarding Surplus Municipal Properties

The report of the City Solicitor was received by Council.

The relevant By-law 2012-126 is listed under Item 10 of the Minutes.

z) Request to Have Water Lot Abutting 1009 Queen Street East Declared Surplus to the City's Needs

The report of the City Solicitor was received by Council.

The relevant By-law 2012-126 is listed under Item 10 of the Minutes.

aa) Public Works and Transportation – Operations Division – Surface Treatment Program – 2012

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

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 06 25 concerning Surface Treatment Program 2012 be received as information and that the 2012 program be awarded to Ellwood Robinson Limited. CARRIED

bb) Correspondence requesting permission for private liquor licence extension was received by Council.

Moved by: Councillor J. Krmpotich Seconded by: Councillior P. Christian

Resolved that City Council has no objection to the proposed extended licenced area as detailed in the written request for a liquor licence extension for an outdoor event on the following stated date:

Loplop Gallery Lounge 651Queen Street East

Downtown Days, Rotaryfest – July 19 to 21, 26 to 28, 2012 Buskerfest – August 2 to 4, 9 to 12, 2012. CARRIED

cc) Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that Councillor Lou Turco be authorized to travel to the FONOM Board meeting being held in Kapuskasing (2 days in July) at no cost to the City. 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) Digital Signs By-law

The report of the Planning Division was received by Council.

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that the report of the Planning Division dated 2012 06 25 concerning the Digital Signs By-law be received and that City Council defers approval of the Digital Signs By-law and extends the current moratorium on digital signage to September 24, 2012; and

That City Council authorize the Committee to have the proposed Digital Signs By-law reviewed by the Transportation Master Plan Consultant. CARRIED

b) Application No. A-13-10-T - Premiere Landscaping and Garden Centre Inc. - 1151 Second Line West

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 25 concerning Application No. A-13-10-T filed by Premiere Landscaping and Garden Centre Inc. – 1151 Second Line West be received and that City Council accepts the applicant's request to withdraw this application. CARRIED

Pecuniary Interest – Councillor R. Niro – family member owns abutting property.

c) Application No. A-16-12-Z – Minor Amendments to Zoning By-law 2005-150

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 25 concerning Application No. A-16-12-Z filed by the City of Sault Ste. Marie – Minor Amendments to Zoning By-law 2005-150 be received and that City Council approves the proposed minor amendments outlined in this report. CARRIED

d) Application No. A-20-12-OP – Scott McLeod – 740 Fifth Line East

The report of the Planning Division was received by Council.

Moved by: Councillor S. Myers Seconded by: Councillor P. Christian

Resolved that the report of the Planning Division dated 2012 06 25 concerning Application No. A-20-12-OP – filed by Scott McLeod – 740 Fifth Line East be received and that City Council denies the request to amend the Official Plan in order to create an additional rural residential lot. DEFEATED

Moved by: Councillor S. Myers Seconded by: Councillor P. Christian

Resolved that Application No. A-20-12-OP – Scott McLeod – 740 Fifth Line East – request to amend the Official Plan in order to create an additional rural residential lot be approved. CARRIED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) Sault Ste. Marie Economic Development Corporation – Management Plan and Destination / Attraction Development Business Plan – Gateway Site

The report of the Sault Ste. Marie Economic Development Corporation Tourism Gateway Committee is attached under separate cover.

The report of the Chief Administrative Officer dated 2012 06 25 concerning Management Plan and Destination / Attraction Development Business Plan – Gateway Site was received by Council. Also attached is correspondence from Tom Dodds, CEO, Sault Ste. Marie Economic Development Corporation for the information of Council.

Moved by: Councillor F. Manzo Seconded by: Councillor P. Christian

Resolved that Sault Ste. Marie Economic Development Corporation Tourism Gateway Committee Management Plan and Destination / Attraction Development Business Plan – Gateway Site be received as information and referred to appropriate City staff to be reviewed by a Committee similar to the original Gateway Steering Committee consisting of appropriate City staff, two (2) City Councillors, the CEO of EDC and two (2) members of the EDC Board. The Committee is to consult with appropriate outside stakeholders including OLG and St. Mary's Paper and provide an interim report to City Council on appropriate "next steps" at the August 13th council meeting. CARRIED

Recorded Vote:

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

Against: Councillor F. Manzo

Absent: Councillor S. Butland

Moved by: Councillor S. Myers Seconded by: Councillor T. Sheehan

Whereas the SSMEDC Gateway Committee has completed the mandate given to them by City Council in Feb.2010, and

Whereas the report titled "Management Plan and Destination Attraction Development Business Plan - Gateway Site" dated May 2012 is a valuable document, and

Whereas the SSMEDC Tourism Gateway committee was made up of volunteer community leaders from tourism and business, and

Whereas this document containing validated and current information is a significant contribution to the municipality.

Now Therefore Be It Resolved that City Council requests a letter of thanks be sent to the members of the SSMEDC Tourism Gateway Committee thanking them for the work in completing the task. CARRIED

Recorded Vote:

For: Mayor D. Amaroso, Councillors L. Turco, S Myers, M. Bruni, J. Krmpotich,

B. Watkins, R. Niro, P. Christian, F. Fata, T. Sheehan, P. Mick

Against: Councillor F. Manzo

Absent: Councillor S. Butland

Moved by: Councillor S. Myers Seconded by: Councillor M. Bruni

Resolved that Councillors Watkins and Krmpotich be appointed to the Gateway

Steering Committee. CARRIED

b) PUC Inc. – Draft Submission to the Sector Review Panel by the Corporation of the City of Sault Ste. Marie

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that the report of the PUC Inc. concerning submission to the Sector Review Panel be received and further that PUC Inc. be authorized to make said submission on behalf of the Corporation of the City of Sault Ste. Marie. CARRIED

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

Moved by: Councillor L. Turco Seconded by: Councillor P. Mick

Whereas the Los Angeles Kings recently won the Stanley Cup, the first one in their 45 year existence; and

Whereas Jordan Nolan from Garden River and a former Soo Greyhound was part of the Stanley Cup Championship team; and

Whereas the Nolan family has a long history with hockey in Sault Ste. Marie particularly the Soo Greyhounds where Jordan's dad, Ted coached the Hounds to a Memorial Cup win in 1993;

Now Therefore Be It Resolved the City of Sault Ste. Marie congratulates Jordan Nolan on his accomplishment of winning the Stanley Cup. 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 P. Christian

Resolved that all by-laws listed under Item 10 of the AGENDA and Addendum

#1under date June 25, 2012 be approved. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-120 being a by-law to authorize the execution of an agreement between the City and M.R. Wright & Associates for 2012 Biennial Bridge Inspections in fulfillment of a mandated bridge inspection requirement be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-121 being a by-law to authorize the execution of an agreement between the City and M.R. Wright & Associates for predesign, geotechnical work and environmental assessments for replacement of four single lane bridges on perimeter roads to be shared equally with Prince Township be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-122 being a by-law to authorize the execution of an agreement between the City and M.R. Wright & Associates for the design and construction inspection of interim repairs to the seawall in front of 719 Bay Street be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-123 being a by-law to authorize the execution of a Letter of Agreement between the City and the Minister of Transportation for the Province of Ontario for funding under the Dedicated Gas Tax Funds for Public Transportation Program be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-124 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 131 Second Line East be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-125 being a by-law to designate the lands located at 131 Second Line East an area of site plan control be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-126 being a by-law to re-establish procedures, including the giving of notice to the public governing the sale of surplus real property owned by the Municipality be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-127 being a by-law to authorize the execution of a Service Agreement between the City and Local Authority Services Limited for the Energy Planning Tool be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-128 being a by-law to permit the temporary closing of Cathcart Street from Hudson Street to Carmen's Way on July 15, 2012 to facilitate the Italian Festival be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-129 being a by-law to provide regulations for the operation of all municipal cemeteries, crematoriums and mausoleums for the City of Sault Ste. Marie and to repeal By-law 99-208 be PASSED in open Council this 25th day of June, 2012. CARRIED

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that By-law 2012-130 being a by-law to authorize the execution of an agreement between the City and Ellwood Robinson Limited for the Surface Treatment Program 2012 be PASSED in open Council this 25th day of June, 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 J. Krmpotich Seconded by: Councillor P. Christian

Resolved that this Council now adjourn. CARRIED

DEBBIE AMAROSO Mayor

MALCOLM WHITE City Clerk