

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 03 19

4:30 P.M.

COUNCIL CHAMBERS

Present: Mayor D. Amaroso, Councillors L. Turco, S. Butland, S. Myers, M. Bruni, J. Krmpotich, R. Niro, P. Christian, 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, F. Coccimiglio, E. Pino, P. Liepa, D. Gowans, C. Murphy, D. Maki, J. Febbraro

Absent: Councillors F. Fata, B. Watkins

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 03 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. Mick

Seconded by: Councillor R. Niro

Resolved that the Agenda for 2012 03 19 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Kim Seabrook, President, Autism Ontario – Sault Ste. Marie Chapter was in attendance concerning proclamation – Autism Awareness Month.

- b) Brian Curran, President and Kim Seabrook, Executive Director – Safe Communities Partnership were in attendance to provide an information update.
- c) Finance Department Best Practices – Peter Liepa, City Tax Collector and Frank Coccimiglio, Manager – Information Technology Division were in attendance concerning on-line property tax bills.

PART ONE – CONSENT AGENDA

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that all the items listed under date 2012 03 19 – Part One – Consent Agenda be approved as recommended with the exception of agenda item 5.(f).

- a) Correspondence from Ontario Small Urban Municipalities, AMO, and OGRA was received by Council.

Councillor Bruni declared a pecuniary interest under agenda item 5.(a) – (AMO) as he is employed by OLG.

Councillor Christian declared a pecuniary interest under agenda item 5.(a) – (AMO) as his spouse is employed by OLG.

- b) Correspondence from the City of Kingston (support for increase in provincial payment-in-lieu of taxes) and Town of Penetanguishene (payments-in-lieu of taxes for heads and beds) was received by Council.
- c) Correspondence from the Minister of Infrastructure/Transportation and from Prince Township concerning winter maintenance of Highways 550 and 565 was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Whereas Council of the City of Sault Ste. Marie passed a resolution at its meeting of November 21, 2011 requesting the Ministry of Transportation to review and rethink the wisdom of its contract with Transfield Services for the winter maintenance of provincial highways 550 and 565 in Prince Township; and Whereas the Minister of Transportation, by correspondence dated March 1, 2012, advises that negotiations continue between the City and the Ministry with a view to the City providing winter maintenance of provincial highways 550 and 565; and

Whereas the Township of Prince, by correspondence dated March 7, 2012, advises that the winter maintenance provided by Transfield Services during the

2011/2012 winter season has deteriorated significantly and has been inconsistent both in the level and quality of service;

Now Therefore Be It Resolved that Council of the City of Sault Ste. Marie encourage the Ministry of Transportation to recognize the valid concerns and logistical issues previously stated by both the City of Sault Ste. Marie and the Township of Prince and that the Ministry amend the contract with Transfield Services such that the City of Sault Ste. Marie provide future winter maintenance of Highways 550 and 565 in Prince Township. CARRIED

d) **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 03 19 concerning Staff Travel requests be approved as requested. CARRIED

e) **Council Travel**

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that Councillor Lou Turco be authorized to travel to the AMO Board of Director's meeting being held in Toronto (2 days in March) at an estimated cost to the City of \$300. CARRIED

f) **Council Chamber Refresh – Video Screens**

The report of the City Clerk is attached for the consideration on Council.

Moved by: Councillor S. Myers

Seconded by: Councillor P. Mick

To defer agenda item 5.(f) to budget (April 2, 2012). DEFEATED

Moved by: Councillor R. Niro

Seconded by: Councillor L. Turco

Resolved that the report of the City Clerk dated 2012 03 19 concerning Council Chambers Refresh – Video Screens be received and the recommendation that two flat screen monitors be purchased at an estimated cost of \$10,000 with funds to come from the unspent Council Travel reserve be approved. CARRIED

Recorded Vote:

For: Mayor D. Amaroso, Councillors S. Butland, M. Bruni, J. Krmpotich, R. Niro, P. Christian, T. Sheehan

Against: Councillor L. Turco, S. Myers, F. Manzo, P. Mick

Absent: Councillor F. Fata, B. Watkins

g) **Corporate Strategic Plan 2011-2014 – Progress #2**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 03 19 concerning 2011-2014 Strategic Plan – Update #2 be received as information. CARRIED

h) **2012 Budget Meeting**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 03 19 concerning 2012 Budget Meeting be received as information. CARRIED

i) **2011 Honoraria and Expenses – Mayor and Council and Board and Committee Members**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 03 19 concerning 2011 Honoraria and Expenses (Mayor, Council, Board and Committee members) be received as information. CARRIED

j) **Tender for Microsoft Enterprise Licensing Agreement**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2012 03 19 be endorsed and the tender for the supply and delivery of Microsoft Enterprise Licensing, required by the Information Technology Division of the Finance Department, be awarded as recommended. CARRIED

k) **Rubber Sidewalk Pilot Project – Queen Street East**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Design and Construction Engineer dated 2012 03 19 be accepted and that a rubber sidewalk pilot project on the south side of Queen Street East from Pim to Church Streets be approved with funds to come from the overall project costs. CARRIED

l) **Change to Building Permit Fees and Minor Amendments to Building By-law 2008-148**

The report of the Chief Building Official was received by Council.

The relevant By-law 2012-49 is listed under Item 10 of the Minutes.

m) **Earth Hour 2012**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Environmental Initiatives Coordinator dated 2012 03 19 concerning Earth Hour 2012 be received as information; further that citizens of Sault Ste. Marie be encouraged to turn out their lights on Saturday, March 31 from 8:30 to 9:30 p.m. CARRIED

n) **Ontario Regulation 397/11 – Energy Conservation and Demand Management Plans**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Environmental Initiatives Coordinator dated 2012 03 19 concerning Ontario Regulation 397/11 – energy conservation and demand management be received as information; further that authority to compile, publish and submit to the Minister of Energy the City's:

- energy consumption greenhouse gas emission template by July 1, 2013 and every year thereafter
- energy conservation and demand management plan by July 1, 2014 and a status update every five years thereafter

be delegated to the Environmental Initiatives Coordinator;

further that staff report to Council annually on major corporate-wide energy retrofit and renewable energy projects and their outcomes. CARRIED

o) **Request to Declare Surplus City Owned Property East Side of South Market Street to McNabb Street**

The report of the City Solicitor was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the City Solicitor dated 2012 03 19 concerning request to declare surplus city owned property – east side of South Market Street

to McNabb Street be accepted and that part of Part 21, Plan 1R-9431 be declared surplus to the needs of the City. CARRIED

p) **Lane Closing Application – Laurentian Park Subdivision Plan H-535**

The report of the City Solicitor was received by Council.

The relevant By-laws 2012-46 and 2012-47 are listed under Item 10 of the Minutes.

q) **City Renewal of the Continuous Safety Services Agreement with the Electrical Safety Authority**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-51 is listed under Item 10 of the Minutes.

r) **Lease Between the City and Sault Ste. Marie Kennel Club**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-50 is listed under Item 10 of the Minutes.

s) Correspondence from the Premier of Ontario concerning the report of the Commission on the Reform of Ontario's Public Services was received by Council.

t) Correspondence from the M.P. for Nickel Belt concerning Electoral Boundaries Readjustment Act was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor L. Turco

Whereas any readjustment of the boundaries of an electoral district must respect the principle of fair representation, and the inhabitants of Northern Ontario are entitled to be governed by that principle; and

Whereas electoral boundaries commissions, in determining boundaries, do not only consider the average population per electoral district but also give weight to historical, geographic, linguistic (Franco Ontarien population) and democratic factors and principles; and

Whereas it is important that the electoral districts in remote northern and rural regions, because of their low population density and extreme weather conditions, must have reasonable dimensions in order to ensure the fair representation of the inhabitants of those regions; and

Whereas the northern part of Ontario is greater in geographic size than every other province and territory except for Quebec and British Columbia; and

This municipality of Sault Ste. Marie supports the Electoral Boundaries Readjustment Act introduced in the House of Commons by Nickel Belt MP Claude Gravelle that includes broad support across the north and across partisan lines.

We support the electoral districts in Northern Ontario being no less than 10 and that Northern Ontario means the geographic area comprising the following ten current electoral districts:

Algoma – Manitoulin – Kapuskasing; Kenora; Nickel Belt; Nipissing – Timiskaming; Parry Sound – Muskoka; Sault Ste. Marie; Sudbury; Thunder Bay – Rainy River; Thunder Bay – Superior North; Timmins – James Bay. 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-8-12-OP – Peggy and Frank Naccarato

The report of the Planning Division was received by Council.

Moved by: Councillor F. Manzo

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 03 19 concerning Application No. A-8-12-OP filed by Peggy and Frank Naccarato be received as information and that the application be approved in principle subject to appropriate conditions being developed by staff. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 03 19 concerning Application No. A-8-12-OP – filed by Peggy and Frank Naccarato be received as information and the recommendation of 2012 03 05 that City Council deny this application be approved. DEFEATED

b) Application No. A-9-12-Z – Jim Colizza

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 03 19 concerning Application No. A-9-12-Z – filed by Jim Colizza with the request to rezone the subject property from “R3” (Low Density Residential) to “CT2” (Commercial

Transitional) and that the property be designated as an area of Site Plan Control be approved. CARRIED

c) **Application No. A-10-12-OP – 1372055 Ont. Ltd. c/o Scott MacWilliam**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Division dated 2012 03 19 concerning Application No. A-10-12-OP – filed by 1372055 Ontario Ltd. c/o Scott MacWilliam be received and that the application be approved in principle subject to appropriate conditions being developed by staff within two weeks. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 03 19 concerning Application No. A-10-12-OP – filed by 1372055 Ontario Limited be received and the recommendation that City Council defer this application to a later date in order to allow staff the opportunity to conduct a comprehensive review of expanding the Urban Settlement Area to encompass the subject property be approved. OFFICIALLY READ NOT DEALT WITH

d) **Application No. A-11-12-Z.OP – Premiere Landscaping and Garden Centre Inc.**

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 03 19 concerning Application No. A-11-12-Z.OP – filed by Premiere Landscaping and Garden Centre Inc. be received and that this application be deferred until July 2012; further that staff report back to City Council with respect to the possibility of allowing limited residential development within certain parts of the Shield Zone. CARRIED

e) **Application No. A-12-12-Z – Manon Leveille**

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 03 19 concerning Application No. A-12-12-Z – filed by Manon Leveille be received and the recommendation that City Council rezone the subject property from “R2” (Single Detached Residential) zone to “R2.S” (Single Detached Residential) zone with a Special Exception to permit a second dwelling unit to be located within a cellar in addition to those uses permitted in an “R2” zone be approved. 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. Butland
Seconded by: Councillor P. Christian
Whereas initial positive reaction from Suncor concerning the sale/lease of the ten acre “tank farm” to the City of Sault Ste. Marie has resulted in zero progress over the past six months; and
Whereas there is apparent reluctance to meet city officials in Sault Ste. Marie regarding this significant waterfront property;
Now Therefore Be It Resolved that Council authorize the Chief Administrative Officer and appropriate staff to propose a meeting of City and Suncor officials at a time and location of their preference. CARRIED
- b) Moved by: Councillor S. Myers
Seconded by: Councillor P. Mick
Whereas the City of Sault Ste. Marie recently hosted a very successful World Cup CARHA event; and
Whereas this event brought hundreds of visitors to our community from all over the world; and
Whereas this event is one of the largest sporting events ever held in Sault Ste. Marie, with an economic impact of about \$11,000,000; and
Whereas hosting this event would not have been possible without the excellent work and co-ordination by the local organizing committee and hundreds of local volunteers and the generous support of Essar Algoma Inc.;
Now Therefore Be It Resolved that a letter of congratulations and appreciation be sent to the organizing committee and Essar Algoma Inc. from the Mayor on behalf of City Council recognizing their valuable contribution to this great event. 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 P. Mick

Seconded by: Councillor R. Niro

Resolved that all by-laws listed under Item 10 of the Agenda under date March 19, 2012 be approved. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2012-46 being a by-law to assume for public use and establish as a public lane, a lane in the Laurentian Park Subdivision, Plan H535 be PASSED in open Council this 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2012-47 being a by-law to stop up, close and authorize the conveyance of a lane in the Laurentian Park Subdivision, Plan H535 be read a FIRST and SECOND time this 19th day of March, 2012 be PASSED in open Council this 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2012-48 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 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2012-49 being a by-law to amend By-law 2008-148 (a by-law respecting construction, demolition and change of use permits, inspections and related matters for the City of Sault Ste. Marie) be PASSED in open Council this 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2012-50 being a by-law to authorize a Lease agreement between the City and the Sault Ste. Marie Kennel Club for the use of the property at civic 76 Fourth Line West, Sault Ste. Marie, Ontario and to repeal By-law 2012-21 be PASSED in open Council this 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2012-51 being a by-law to authorize the execution of an agreement between the City and the Electrical Safety Authority be PASSED in open Council this 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that By-law 2012-52 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 19th day of March, 2012. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that By-law 2012-53 being a by-law to provide for the taxation exemption for portions of the Essar Centre as a Municipal Capital Facility be PASSED in open Council this 19th day of March, 2012. CARRIED

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

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that Council shall now go into Caucus to consider:
1. the proposed acquisition of property and disposition of property in the area of Carmen's Way; and
2. the potential disposition of city assets; and
3. the proposed disposition of a property on Sackville Road;
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 P. Mick
Seconded by: Councillor R. Niro
Resolved that this Council now adjourn. CARRIED

MAYOR

CITY CLERK

