

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 10 22

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, M. White, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, J. Cain, M. Caputo, D. Desrosiers, P. Milosevich

1. ADOPTION OF MINUTES

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

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

Seconded by: Councillor B. Watkins

Resolved that the Agenda and Addendum #1 for 2012 10 22 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Chris Rous, Chair – Cultural Advisory Board was in attendance to introduce the winners of the 2012 Cultural Advisory Board Community Recognition Award.
- b) Nicole Clouthier and Marci Oliverio were in attendance to address Council regarding organ transplant awareness.

- c) Bert Leith, Community Living Algoma was in attendance concerning agenda item 6.(7)(a).
- d) Matthew Caputo, Municipal Solicitor/Prosecutor and Denis Desrosiers, Manager POA Division were in attendance concerning the Legal Department's Best Practice Pilot Project – Early Resolutions Initiative and Remote Interpretations Initiative.
- e) Graham Newman, Vice-President, Sault Minor Baseball Association was in attendance concerning 5.(g).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that all the items listed under date 2012 10 22 – Part One – Consent Agenda and Addendum #1 be approved as recommended. CARRIED

- a) Correspondence from FONOM was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor M. Bruni

Whereas the Ministry of Natural Resources has announced the end of overnight camping in ten provincial parks in Northern Ontario; and

Whereas this decision will cost Northern Ontario 130 direct jobs and negatively impact tourism and Northern Ontario's way of life; and

Whereas local stakeholders and municipalities have not been consulted on these closures and have been denied the opportunity to make these parks more sustainable;

Now Therefore Be It Resolved that the Council for the City of Sault Ste. Marie petition the Legislative Assembly of Ontario to immediately suspend plans to cancel overnight camping at the ten provincial parks; and

Further Be It Resolved that the Ministry immediately consult with local municipalities, stakeholders and regional economic development organizations regarding the long-term viability of preserving Northern Ontario provincial parks. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor M. Bruni

Whereas the Government of Ontario has announced plans to divest itself from Ontario Northland Transportation Commission; and

Whereas this decision has already resulted in the cancellation of the 102 year old Ontario Northlander train service and plans to sell off Ontario Northland's bus

routes which will privatize the only intercity public transit serving many northern communities; and

Whereas our resource sector relies on freight rail and changes in that service would seriously impact our economy. Our existing highway network does not have the capacity to replace freight rail if cancelled or made economically unviable; and

Whereas rail networks are much more economical to sustain than such an extensive highway system as well as being more environmentally friendly;

Now Therefore Be It Resolved that the Council for the City of Sault Ste. Marie petition the Legislative Assembly of Ontario to immediately suspend plans to divest from ONTC and consult with local municipalities, stakeholders and regional economic development organizations regarding the long-term plans for improving the effectiveness of ONTC as a government asset. CARRIED

- b) Correspondence from the Canadian Red Cross concerning a photo exhibit was received by Council.
- c) Correspondence concerning Communities in Boom – an entrepreneurial ranking of Canadian cities by the Canadian Federation of Independent Business was received by Council.

d) **Staff Travel**

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

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the Chief Administrative Officer dated 2012 10 22 concerning Staff Travel requests be approved as requested. CARRIED

e) **Tenders for Equipment – Public Works and Transportation Department**

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2012 10 22 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, as required by the Public Works and Transportation Department, be awarded as recommended. CARRIED

f) **Cemetery Price List**

The report of the City Clerk was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the City Clerk dated 2012 10 22 concerning 2012 Cemetery Price List be accepted and the recommendation to approved the amended price list be approved. CARRIED

g) **Extension to Soo Minor Baseball Agreement to Facilitate Their Solar Photovoltaic Fit Application**

The report of the Commissioner of Community Services was received by Council.
The relevant By-laws 2012-195 and 2012-196 are listed under Item 10 of the Minutes.

h) **Development Charges Background Study**

The report of the Commissioner of Engineering and Planning was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Commissioner of Engineering and Planning dated 2012 10 22 concerning Development Charges Background Study be accepted and the recommendation to retain Watson & Associates Economists Ltd. to prepare the study at a cost of \$29,360 with funding from the 2011-12 capital works budget be approved. CARRIED

i) **Solar Photovoltaic Feasibility**

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

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the Environmental Initiatives Coordinator dated 2012 10 22 concerning Solar Photovoltaic Feasibility be received as information. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Resolved that the appropriate engineering study be undertaken concerning the Essar Centre roof regarding design loading and structural analysis required for the potential installation of solar generating panels at a cost not to exceed \$6,000 with funding from the Facility Maintenance account; and
Further that staff begin drafting the appropriate call for proposals for such a project and report back to Council with this information before proceeding further. CARRIED

j) **Diwali Indian Festival – Request for Exemption from Fireworks By-law 73-107**

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

The relevant By-law 2012-197 is listed under Item 10 of the Minutes.

k) **Street Closing Request – Habitat for Humanity – Bloor Street**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-194 is listed under Item 10 of the Minutes.

l) **Lane Closing Application – Sault Ste. Marie Park Subdivision, Plan 7602**

The report of the City Solicitor was received by Council.

The relevant By-laws 2012-191 and 2012-192 are listed under Item 10 of the Minutes.

m) **Municipality Contribution Agreement Between the Ontario Lottery and Gaming Corporation and the City**

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

The relevant By-law 2012-183 is listed under Item 10 of the Minutes.

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

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Municipal Solicitor/Prosecutor dated 2012 10 22 concerning Banning Wild/Exotic Animal Acts and Travelling Animal Circuses be received as information. CARRIED

o) **Posters on Municipal Utility Poles**

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Municipal Solicitor/Prosecutor dated 2012 10 22 concerning Posters on Municipal Utility Poles be received as information. CARRIED

p) **Household Special Waste Facility – Stewardship Ontario ('SO') Funding**

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

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Deputy Commissioner - Public Works and Transportation dated 2012 10 22 concerning Household Special Waste Facility - Stewardship Ontario Funding be accepted and the recommendation to direct the funding to offset the operational budget instead of to the Hazardous Waste Depot reserve account and further that the current balance in the reserve account be transferred to the Landfill reserve be approved. CARRIED

- q) Correspondence from the Managing Director, Tenaris was received by Council.
- r) Correspondence from the Municipal Property Assessment Corporation concerning provincial reassessment was received by Council.

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**
- (7) PUBLIC WORKS AND TRANSPORTATION**

- a) **Community Living Algoma – Support for Community Recycling Depot**

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

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the Deputy Commissioner - Public Works and Transportation dated 2012 10 22 concerning Community Living Algoma (CLA) - Support for Community Recycling Depot be accepted and the recommendation to provide \$20,000 in funding to CLA for the depot, to be funded from the Landfill Reserve, and

Further that the funding of \$20,000 be referred to the 2013 budget to be considered as a line item in the Public Works operational budget. CARRIED

- (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 J. Krmpotich
Resolved that agenda item 7.(a) be deferred to the next meeting of Council.
CARRIED

Moved by: Councillor P. Christian
Seconded by: Councillor M. Bruni
Whereas Pointe Des Chenes Park has been operated by the city of Sault Ste. Marie for many years; and
Whereas the property is divided into two distinct areas, one being a day use area and the other being a trailer park operated by the Lions Club of Sault Ste. Marie; and
Whereas the city has had a unique partnership with the Lion's Club with regard to the operation of the trailer park; and
Whereas the city has historically paid for most of the capital expenditures of the trailer park; and
Whereas an estimated \$45,000 is required to be spent on park upgrades in the near future; and
Whereas during the 2012 budget deliberations, it was agreed that council, in concert with city staff, would continue to look for opportunities to minimize expenditures and improve efficiencies within city operations;
Now Therefore Be It Resolved that appropriate staff prepare a preliminary report on possible long term plans for the park, including but not limited to expansion of the trailer park or possible sale of the property to private interests who may wish to develop the area within existing zoning requirements; and
Further that the Lions Club be consulted as part of this report to determine future plans the club may have for the operation of the property. DEFERRED

b) **NOTICE OF MOTION**

Mover: Councillor T. Sheehan
Seconder: Councillor S. Myers
Whereas City Council has received information why/how the City of Sault Ste. Marie can create a by-law prohibiting wild/exotic animal circuses.
Now Therefore Be It Resolved that the legal department be instructed to create a by-law similar to other communities (see attached) which would prohibit wild/exotic animal circuses.

**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 R. Niro
Seconded by: Councillor B. Watkins
Resolved that all by-laws listed under Item 10 of the AGENDA under date October 22, 2012 save and except 2012-183, be approved. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-182 being a by-law to amend Schedule "A", Schedule "K" and Schedule "N" to Traffic By-law 77-200 be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-183 being a by-law to authorize the execution of a Municipality Contribution Agreement between the City and the Ontario Lottery and Gaming Corporation for payment of slot machine revenues to the City be PASSED in open Council this 22nd day of October. 2012. CARRIED

Pecuniary Interest: Councillor Bruni – employed by OLG.
Councillor Christian – spouse employed by OLG.
Councillor Niro – family member employed by OLG.

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-188 being a by-law to adopt Amendment No. 191 to the Official Plan (Riversedge Developments Inc.) be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-189 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 75 Huron Street (Riversedge Developments Inc.) be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-190 being a by-law to designate the lands located at civic number 75 Huron Street as an area of site plan control (Riversedge Developments Inc.) be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-191 being a by-law to assume for public use and establish as a public lane, a lane in the Sault Ste. Marie Park Subdivision, Plan 7602 be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-192 being a by-law to stop up, close and authorize the conveyance of a lane in the Sault Ste. Marie Park Subdivision Plan 7602. be READ a FIRST and SECOND time in open Council this 22nd day of October, 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-193 being a by-law to authorize the execution of a lease agreement between the City and Strongco Limited Partnership for the lease of one (1) Motor Grader complete with Snow Wing and Front Blade on a five (5) year basis, as required by the Department of Public Works and Transportation be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-194 being a by-law to stop up and close the portion of Bloor Street abutting civic 465 Northland Road (formerly 229 Bloor Street) be read a FIRST and SECOND time this 22nd day of October, 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-195 being a by-law to amend By-law 2009-41 (a by-law to authorize an amendment to the Licence of Occupation dated April 27th, 1992 between the Corporation of the City of Sault Ste. Marie and Soo Minor Baseball Association Inc.) be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-196 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 by Soo Minor Baseball Association Inc. be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-197 being a by-law to exempt the Diwali Festival from By-law 73-107 being a by-law to prohibit the use of fireworks in the municipality be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-198 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Kohler

Street from Queen Street East to Wellington Street East under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-199 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on Maretta Street from Wallace Terrace to Henrietta Avenue under Section 3 of the Municipal Act, 2001 Ontario Regulation 586/06 be PASSED in open Council this 22nd day of October. 2012. CARRIED

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-200 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Queen Street East from Simpson Street to Pine Street under Section 3 of the Municipal Act, 2001 Ontario Regulation 586/06 be PASSED in open Council this 22nd day of October. 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 L. Turco

Seconded by: Councillor B. Watkins

Resolved that this Council now adjourn. CARRIED

Debbie Amaroso
Mayor

Malcolm White
City Clerk