

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 07 16

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, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, C. Taddo, D. McConnell, D. Scott, J. King, J. St. Jules, F. Coccimiglio, P. Niro, A. Pluss, K. Streich-Poser

1. ADOPTION OF MINUTES

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2012 06 25 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 S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the Agenda and Addendum #1 for 2012 07 16 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) The 2012/13 Chamber of Commerce Executive (James Caicco, President; Beverley Szatanski, First Vice-President; Ron Spadoni, Treasurer; and Shelley Barich, General Manager) were in attendance for the annual Swearing-In Ceremony by Mayor Amaroso.

- b) Diane Lajambe, District Branch Manager – Canadian Red Cross was in attendance to present Canadian Red Cross Rescuer Awards to five recipients.
- c) Larry Girardi, Commissioner of Public Works and Transportation was in attendance to present the department's 2012 budget and year-to-date financial information. Please see agenda item 5.(d).
- d) Earl Thompson and Helen Girard 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 P. Christian

Seconded by: Councillor F. Manzo

Resolved that all the items listed under date 2012 07 16 – Part One – Consent Agenda and Addendum #1 save and except 5.(t) be approved as recommended.
CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the Town of East Gwillimbury (concerning quality of fill guidelines) and the Town of Ingersoll (concerning the Canadian auto industry) was received by Council.
- c) A letter requesting permission for a private property liquor licence extension was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

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 times:

Root River Golf Club, Highway 17 North

July 21, 2012 from 6:00 p.m. to 10:00 p.m. CARRIED

- d) Financial Statements (budget and year-to-date) from the Public Works and Transportation Department were received by Council.
- e) **Community Infrastructure Improvement Fund**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Chief Administrative Officer dated 2012 07 16 concerning Community Infrastructure Improvement Fund be accepted and the recommendation that Council authorize an application under the Federal Community Infrastructure Improvement Fund for funding in the amount of \$300,000, representing 50% of the cost of improvements and enhancements to the West End Community Centre be approved. CARRIED

f) **Property Tax Appeals**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

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 07 16 be approved and that the tax records be amended accordingly. CARRIED

g) **Quotation for Parking Lot Reconstruction – Jessie Irving Children's Centre**

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

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the Report of the Manager of Purchasing, dated 2012 07 16 be endorsed and that the quotation for the reconstruction of the parking lot at the Jessie Irving Children's Centre, as required by the Day Care Division of the Community Services Department, be awarded as recommended. CARRIED

h) **Tender for Three (3) Freestanding Modular Columbarium Units**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the Report of the Manager of Purchasing, dated 2012 07 16 be endorsed and that the tender for the supply and delivery of Three (3) Freestanding Modular Columbarium Units, as required by the Cemeteries Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED

i) **Tender for Lease/Purchase of One (1) Motor Grader C/W Snow Wing and Front Blade**

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

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the Report of the Manager of Purchasing, dated 2012 07 16 be endorsed and that the tender for the supply and delivery of One (1) Motor Grader c/w Snow Wing and Front Blade on a five (5) year lease basis, as required by the

Public Works and Transportation Department, be awarded as recommended.
CARRIED

j) **Memorandum of Settlement 2012–2015 - CUPE Local 67 Daycare Group**

The report of the Manager of Human Resources was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Human Resources dated 2012 07 16 concerning Renewal of Collective Agreement – CUPE Local 67 – Daycare Group be accepted and further that the Memorandum of Settlement for CUPE Local 67 – Daycare Group and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-law be presented at a future Council meeting. CARRIED

k) **Civic Centre Accessible Doors**

The report of the Accessibility and Special Projects Manager was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Accessibility and Special Projects Manager dated 2012 07 16 be accepted and the recommendation that \$28,000 from the Corporate Barrier Removal Budget reserves be allocated to Building Services to initiate the installation of accessible doors be approved. CARRIED

l) **Changes to the Ontario Works Benefits Resulting from 2012/2013 Provincial Budget**

The report of the Ontario Works Project Manager was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Ontario Works Project Manager dated 2012 07 16 concerning Changes to the Ontario Works Benefits Resulting from 2012/2013 Provincial Budget be received as information. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor P. Christian

Whereas the DSSAB Board of Directors has provided City Council a copy of a resolution passed at the most recent DSSAB Board Meeting dated July 11, 2012 Agenda Item 5.(4); and

Whereas this resolution addresses recent changes announced in the Provincial Budget scheduled to take effect July 1, 2012 that would “cap” the subsidy to discretionary benefits for social assistance recipients and health related items; and

Whereas this could impact in excess of 5,000 Ontario Works and Ontario Disability Support Program clients in our service area;

Now Therefore Be It Resolved that City Council endorse the DSSAB resolution that includes their request to the Province to not implement any intended changes and to consult with specific municipal associations such as OMSSA, AMO and NOSDA regarding this urgent and serious matter. CARRIED

m) **Municipal Coat of Arms – Development Process**

The report of the City Clerk was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the report of the City Clerk dated 2012 07 16 concerning Municipal Coat of Arms - Development Process be accepted and the recommendation that Council approve the creation of a Municipal Coat of Arms Steering Committee consisting of Councillors Myers and Sheehan, Clerk's Department staff and up to two members from the historical/heritage community be approved. CARRIED

n) **Immigration Portal, Phase Five Contracts with Ministry of Citizenship and Immigration**

The report of the Manager of Information Technology Division was received by Council.

The relevant By-law 2012-144 is listed under Item 10 of the Minutes.

o) **The City's GIS Data Housed by the Innovation Centre to be Hosted on the ESRI Community Maps Program**

The report of the Manager of Information Technology Division was received by Council.

The relevant By-law 2012-134 is listed under Item 10 of the Minutes.

p) **Essar Centre – Ticketing Services Agreement with New Era Tickets**

The report of the Manager of Community Centres was received by Council.

The relevant By-law 2012-141 is listed under Item 10 of the Minutes.

q) **Contract 2012-8E – Closure of Wilson Street**

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

The relevant By-law 2012-138 is listed under Item 10 of the Minutes.

r) **Transportation Master Plan Update – Engineering Agreement**

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

The relevant By-law 2012-139 is listed under Item 10 of the Minutes.

s) **ThyssenKrupp Elevator Maintenance**

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

The relevant By-law 2012-135 is listed under Item 10 of the Minutes.

t) **Allen's Side Road – Truck Traffic Concerns**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Engineering and Planning dated 2012 07 16 concerning Allen's Side Road - Truck Traffic Concerns be accepted and the recommendation that continued maintenance be provided and that the road be reviewed annually for possible resurfacing within the next three years, including the relocation of two catchbasin covers and associated infrastructure be approved. CARRIED

u) **Consultant Fees for Natural Gas Radiant Heaters**

The report of the Assistant Fire Chief – Support Services was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Assistant Fire Chief - Support Services dated 2012 07 16 concerning Consultant Fees - Natural Gas Radiant Heaters be accepted and the recommendation to award the contract to Nor Mech Engineering Inc. for a fee of \$4,795 be approved. CARRIED

v) **Downtown Days – July 19, 2012**

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

The relevant By-law 2012-140 is listed under Item 10 of the Minutes.

w) **Purchase of Property at the Corner of McNabb Street and South Market Street from Dick's Garage Limited**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-142 is listed under Item 10 of the Minutes.

x) **Construction of Fence at 112 Fort Creek Drive**

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

The relevant By-law 2012-137 is listed under Item 10 of the Minutes.

- y) **Authorized Requester Agreement (Municipal Parking Tag Program) Between the City and Her Majesty the Queen in Right of Ontario, as Represented by the Minister of Transportation.**

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

The relevant By-law 2012-143 is listed under Item 10 of the Minutes.

- z) **Archaeological Site Potential Assessment**

The report of the Planning Director was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Director of Planning dated 2012 07 16 concerning Archaeological Site Potential Assessment be received as information; and Further that the Council authorize notice be given for a public hearing to consider the relevant Official Plan amendment on September 10, 2012. CARRIED

- aa) **Update Report – Sault Ste. Marie/Ontario Lottery and Gaming Modernization Opportunity**

The report of the Chief Executive Officer of the Sault Ste. Marie Economic Development Corporation is attached for the information of Council.

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that the report of the Chief Executive Officer of the Sault Ste. Marie Economic Development Corporation dated 2012 07 11 concerning Update Report – Sault Ste. Marie/Ontario Lottery and Gaming Modernization Opportunity be received as information. CARRIED

- bb) A letter from Michel Poirer, General Manager/Owner of Northern Lights concerning laser displays on city property was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor S. Myers

Now Therefore Be It Resolved that the letter from Michel Poirer owner of Northern Lights be received and referred to the Planning Department and the Legal Department to consider the request of conducting laser projection images and animations on city owner properties; and

Further that staff attempt to have the report back to Council for the August 13 council meeting. 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) A-21-12-T – Earl Thompson – 226 River Road

The report of the Planning Division was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2012 07 16 concerning Application No. A-21-12-T – 226 River Road be received and that City Council deny the request for a three (3) year temporary rezoning, and approve a temporary rezoning, to permit an office sales use for a period not to exceed one year, subject to the following conditions:

- 1. That deliveries associated with the office supplies business not be accepted upon the subject property;
- 2. That beyond the utility trailer, the outdoor storage of goods associated with the business is prohibited. **CARRIED**

Pecuniary Interest – Councillor Watkins – applicant is a competitor to his business

b) A-22-12-Z.OP – Tree Men and a Chainsaw – 763 and 779 Airport Road

The report of the Planning Division was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Planning Division dated 2012 07 16 concerning Application No. A-22-12-Z.OP – 763 and 779 Airport Road be received and that City Council approve the Official Plan Amendment 189 and rezone the subject property from Rural Area Zone to Rural Area Zone with a Special Exception to permit the following uses, in addition to those permitted in a Rural Area Zone:

- 1. A tree pruning and removal contractor only; and
- 2. The cutting, splitting and selling of firewood, and

Further that the properties be deemed subject to site plan control. **CARRIED**

- c) **Application No. A-11-12-Z.OP – Premiere Landscaping and Garden Centre Inc. – 1465 Maki Rd**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor F. Manzo

Resolved that the report of the Planning Division dated 2012 07 16 concerning Application No. A-11-12-Z.OP – filed by Premiere Landscaping and Garden Centre Inc. - 1465 Maki Road be received and that City Council defer this application until September 10, 2012 so that staff can review and report back to City Council on the possibility of allowing limited residential development within certain parts of the Shield Zone. 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. Mick

Be It Resolved that the Environmental Initiatives Co-ordinator and any other appropriate staff prepare a preliminary report on the advisability, practicality and economics of supporting and possibly implementing the Ontario Governments' present consideration of amending the Local Improvement Charges Regulation to afford municipalities and their residents more flexibility in financing energy and water conservation retrofits. CARRIED

- b) Moved by: Councillor S. Butland

Seconded by: Councillor L. Turco

Whereas the John Rowswell Hub Trail should be accessible to as many people as possible regardless of circumstance.

Now Therefore Be It Resolved that Council request of the Parks and Recreation Advisory Committee in consultation with appropriate staff, Police Services and the Accessibility Advisory Committee review as to what "prescribed mobility devices" and other motorized vehicles should be allowed access to the Hub Trail and report back to Council with possible recommendations (by-law, signage) would be recommended. 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 S. Butland

Seconded by: Councillor F. Manzo

Resolved that all by-laws listed under Item 10 of the AGENDA under date July 16, 2012 be approved. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-131 being a by-law to adopt Amendment No. 187 to the Official Plan for the City of Sault Ste. Marie (740 Fifth Line East) be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-132 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 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-133 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 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-134 being a by-law to authorize the execution of the ArcGIS Online Community Maps Program Participation Agreement between the City and ESRI Canada Limited be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-135 being a by-law to authorize an agreement between the City and ThyssenKrupp Elevator (Canada) Limited for an ongoing 10 year maintenance of the Civic Centre and Ontario Works elevators be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-136 being a by-law to authorize an agreement between the City and Local No. 67 Canadian Union of Public Employees for the

term commencing February 1, 2012 to January 31, 2015 be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-137 being a by-law to provide access for the construction of a fence located at 112 Fort Creek Drive be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-138 being a by-law to permit the temporary closing of Wilson Street from Bruce Street to Cedar Street from July 17, 2012 to August 31, 2012 to facilitate the replacement of the sanitary sewer be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-139 being a by-law to authorize an agreement between the City and HDR Corporation for the planned 2012 update to the City's Transportation Master Plan be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-140 being a by-law to authorize a Licence Agreement between the City, Loplops and the Downtown Association for the use of five separate portions of City owned land on Queen Street East be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-141 being a by-law to authorize an agreement between the City and New Era Ticketing extending the current ticketing services for an additional five year period to the Essar Centre be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-142 being a by-law to authorize the City's acquisition of property located on McNabb Street, being described as Part of Lot 15, Plan 51476, being Part 24 on Plan 1R-9431 from Dick's Garage Limited be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-143 being a by-law to authorize an agreement between the City and Her Majesty the Queen in Right of Ontario, as represented

by the Minister of Transportation for the Authorized Requestor Agreement with the ability to access information pertaining to driver, vehicle and motor carrier records for the Municipal Parking Tag Program be PASSED in open Council this 16th day of July, 2012. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor F. Manzo

Resolved that By-law 2012-144 being a by-law to authorize the Ontario Funding Agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration for Phase Five of the Immigration Portal Project be PASSED in open Council this 16th day of July, 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 S. Butland

Seconded by: Councillor F. Manzo

Resolved that this Council now adjourn. CARRIED

DEBBIE AMAROSO

MAYOR

MALCOLM WHITE

CITY CLERK