

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 09 10

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, P. Mick

Absent: Councillor F. Manzo

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, B. Freiburger, J. Dolcetti, D. McConnell, J. Luzka, M. Provenzano

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 08 13 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 10 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Mayor Lynn Watson, Township of MacDonald, Meredith and Aberdeen Additional was in attendance to make a presentation to Council.
- b) Karey Stewart Co-Run Director was in attendance concerning Proclamation – Canadian Breast Cancer Foundation - CIBC Run for the Cure Day.
- c) Lou St. Jules, Public Relation Coordinator, Wendy Andres, Honoured Royal Lady, Ladies Lodge and Trevor Purvis, Exalted Ruler, Mens Lodge 341 were in attendance concerning Proclamation – Elks and Royal Purple Oncology Van Program Week.
- d) Rom Kwolek and Nathan Mudge were in attendance concerning Proclamation – Terry Fox Run.
- e) Jacqueline Febbraro, Volunteer President/Treasurer and Arthritis Programs Facilitator was in attendance concerning Proclamation – Arthritis Month.
- f) Lise Joyal was in attendance concerning Proclamation – Francophone Day.
- g) John Luszka, Commissioner of Human Resources was in attendance to present the Human Resource Department 2012 budget and year-to-date financial information. See agenda item 5.(d).
- h) Marcel Provenzano, Chief of Fire Services was in attendance to present the Fire Services 2012 budget and year-to-date financial information. See agenda item 5.(e).

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 10 – Part One – Consent Agenda and Addendum #1, save and except item 5.(c) be approved as recommended. CARRIED

- a) Correspondence from AMO, OGRA was received by Council.
- b) Correspondence from the Deputy Minister of Northern Development and Mines to the Chief Administrative Officer concerning the Northern Policy Institute was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that Sault Ste. Marie City Council receives as information the email that was sent by the CAO on August 30, 2012 to George Ross, Deputy Minister of Northern Development and Mines concerning the Northern Policy Institute announcement and general concerns regarding the implementation of the Northern Growth Plan, as well as the reply that was received back that same day by the CAO;

And further that the Deputy Minister be thanked for agreeing to meet with the CAO's of the five large northern cities to discuss the much expressed concerns regarding the process and the plans for implementation of the Growth Plan Initiatives, including Sault Ste. Marie's position that the draft model for the Northeast Regional Economic Development Planning Initiative is inconsistent with the spirit and intent of the Growth Plan and simply will not work in achieving its objectives. CARRIED

(copies to Minister R. Bartolucci, MPP, David Oraziotti, Cal McDonald, NAC, Northern CAO's group, Tom Vair, Tom Dodds, Robert Reid and Dr. Richard Myers)

- c) Letters from citizens Tom Brason and Helen and Marcel Girard to Mayor Amaroso were received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that letters from citizens Tom Brason and Helen and Marcel Girard be referred to the Legal Department for review and report back to Council at a future meeting. CARRIED

- d) Financial Statements (budget and year-to-date) from the Human Resources Department were received by Council.
- e) Financial Statements (budget and year-to-date) from Fire Services were received by Council.

- f) **Appointment – Cultural Advisory Board**

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that citizen Nora Ann Harrison be appointed to the Cultural Advisory Board from September 10, 2012 to December 31, 2012. CARRIED

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 10 concerning Staff Travel requests be approved as requested. CARRIED

Pecuniary Interest – Councillor Krmpotich – family member listed in the report.

h) **Tender for Supply and Delivery of One (1) 58,000 GVW Tandem Truck C/W Plow, Wing, Harness and 14' Contractor Type Dump Box**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the Report of the Manager of Purchasing dated 2012 09 10 be endorsed and that the tender for the supply and delivery of one (1) 58,000 GVW Tandem Truck c/w Plow, Wing, Harness and 14' Contractor Type Dump Box as required by the Public Works and Transportation Department be awarded as recommended. CARRIED

i) **Tender for Supply and Delivery of One (1) 3-5 Ton Rigid Frame Steel Drum Roller**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the Report of the Manager of Purchasing dated 2012 09 10 be endorsed and that the tender for the supply and delivery of one (1) 3-5 Ton Rigid Frame Steel Drum Roller as required by the Public Works and Transportation Department be awarded as recommended. CARRIED

j) **Mayor and Council Travel Expenses – January 1 – June 30, 2012**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the Report of the Commissioner of Finance and Treasurer dated 2012 09 10 concerning Mayor and Council travel expenses for the period January 1 to June 30, 2012 be received as information. CARRIED

k) **Collective Bargaining and Amalgamated Transit Union Local 1767 Memorandum of Settlement 2012-2015**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the Report of the Commissioner of Human Resources dated 2012 09 10 concerning Collective Bargaining and Amalgamated Transit Union Local 1767 Memorandum of Settlement 2012-2015 be accepted and further that the Memorandum of Settlement for Amalgamated Transit Union Local 1767 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 be approved. CARRIED

l) **Cemetery Price List**

The report of the City Clerk is attached for the consideration

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the City Clerk dated 2012 09 10 concerning 2012 Cemetery Price List be accepted and the recommendation to approve the amended price list be approved. CARRIED

m) **Request for Financial Assistance for National/International Sports Competitions – Shane Rock**

The report of the Manager of Recreation and Culture was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Manager Recreation and Culture dated 2012 09 10 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Shane Rock (2012 Canadian Age Group National Swimming Championships) be approved. CARRIED

n) **Contract 2012-10E – Bridge Cleaning and Installation of a Bird Barrier System at Wellington Street Underpass**

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

The relevant By-law 2012-173 is listed under Item 10 of the Minutes.

o) **Great Lakes Sustainability Fund**

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

The relevant By-law 2012-172 is listed under Item 10 of the Minutes.

p) **Earl Thompson – 226 River Road – Zoning By-law 2012-148 – Planning Application A-21-12-T**

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 10 concerning Earl Thompson – 226 River Road – Zoning By-law 2012-148 – Planning Application A-21-12-T OMB Appeal be accepted and that despite the appeal Council confirms its wish to proceed with the by-law. CARRIED

Pecuniary Interest – Councillor Watkins – applicant is a business competitor.

q) **Council Travel**

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Be It Resolved that Councillor Sheehan be authorized to travel to Blind River for the Algoma District Municipal Association (ADMA) September meeting at a cost of \$100. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Be It Resolved that Councillor Turco be authorized to travel to the FONOM Board meeting being held in Parry Sound (2 days in September) at no cost to the City and the AMO Board of Directors meeting being held in Toronto (2 days in September) at the cost to the City of \$300. 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-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 P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 10 concerning Application No. A-17-11-Z.OP and 57T-11-501 – filed by Ruscio Investments Inc. – 184 Queensgate Boulevard be received and that the application be deferred to the September 24, 2012 Council meeting. CARRIED

b) **Application No. A-11-12-Z.OP – Premiere Landscaping – 1465 Maki Road**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that agenda item 6.(6)(b) – Application A-11-12-Z.OP – Premiere Landscaping – 1465 Maki Road be deferred to the October 9, 2012 Council Meeting. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 09 10 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 deny the applicant's request to rezone and re-designate the subject property to legalize the existing dwelling unit and permit the outdoor storage of goods in association with a landscaping contractor's yard on the subject property. OFFICIALLY READ NOT DEALT WITH

c) **Archaeological Site Potential Assessment**

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 10 concerning the Archaeological Site Potential Assessment be received and that City Council approve Official Plan Amendment No. 188 concerning requirements for development within areas of archaeological potential. 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 there are presently five Bell Canada cell towers under consideration to be erected in the immediate future; and
Whereas there is a likelihood of more required on a needs basis; and
Whereas the City does not presently have an official comprehensive protocol that deals with all aspects of tower locations: location rational, permits required, aesthetics, financial consideration, consultation process;
Now Therefore Be It Resolved that appropriate staff formalize a protocol that incorporates the above wherever possible. CARRIED
- b) Moved by: Councillor S. Myers
Seconded by: Councillor T. Sheehan
Whereas residents on Euclid Road have reported concerns regarding the speed of motorists traveling on this residential street; and
Whereas Euclid Road is being reconstructed at this time; and
Whereas following the McGregor Avenue pilot project for speed humps a Traffic Calming Management process was put in place for staff to review requests for traffic calming; and
Whereas at that time it was noted by the Ward Two Councillors that other requests are best considered during reconstruction in order to minimize any cost implications;
Therefore Be It Resolved that Euclid Road be reviewed for consideration for a traffic calming through the process established by Public Works and staff report back to City Council in the near future. CARRIED
- c) **NOTICE OF MOTION**
Moved by: Councillor S. Butland
Seconded by: Councillor P. Christian
Be It Resolved that a temporary moratorium on additional cell towers be implemented until such time as the Federation of Canadian Municipalities (FCM), in consultation with the Canadian Wireless Telecommunications Association tables a model protocol for Canadian cities to follow.

**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 10, 2012 be approved. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-80 being a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision Plan 7882 be READ a THIRD time and PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-164 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 181 John Street be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-165 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 400 Shannon Road be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-166 being a by-law to adopt Amendment No. 190 to the Official Plan (Maple Leaf Forest Products Inc) be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-167 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 418 Fourth Line West be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-168 being a by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-169 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 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-170 being a by-law to amend Schedule "A", Schedule "F", Schedule "G", Schedule "H", and Schedule "O" to Traffic By-law 77-200 be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-171 being a by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-172 being a by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment who is responsible for Environment Canada for the Urban Stormwater Control and Monitoring project be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-173 being a by-law to authorize a contract between the City and S & T Electrical Cont. Ltd. for the bridge cleaning and installation of a bird barrier system at Wellington Street East underpass. (Contract 2012-10E) be PASSED in open Council this 10th 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 P. Mick

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn. CARRIED

Mayor

City Clerk