

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 06 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, F. Manzo, P. Mick

Officials: J. Fratesi, R. Tyczinski, N. Kenny, L. Girardi, J. Cain, B. Freiburger, J. Dolcetti, D. Elliott, M. Nadeau, D. McConnell

1. **ADOPTION OF MINUTES**

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2013 05 27 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 and Addendum #1 for 2013 06 10 City Council meeting as presented be approved. CARRIED

4. **DELEGATIONS/PROCLAMATIONS**

- a) Todd Slotegraf, Board Chair and Lewis Massad, Senior Executive Director – Ontario Finnish Resthome Association were in attendance concerning agenda item 5.(h).
- b) Joe Cain, Manager of Recreation and Culture, Community Services Department was in attendance for proclamation – June is Recreation and Parks month.
- c) Mark Brown was in attendance concerning agenda item 5.(l).
- d) Mark Mageran was 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 J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all the items listed under date 2013 06 10 – Part One – Consent Agenda be approved as recommended save and except agenda item 5.(h), 5.(s).
CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the President and CEO, Ontario Lottery and Gaming Corporation concerning changes to the Municipality Contribution Agreement (MCA) was received by Council.
- c) Correspondence from the Ministry of the Environment concerning Drinking Water Inspection Program was received by Council.
A copy of the full report is available for review in the City Clerk's Department.
- d) A letter of request for a temporary street closing was received by Council.
 - 1) on Queen Street East (Pim Street to Dennis Street) in conjunction with Downtown Days – being held July 18, 2013The relevant By-law 2013-110 is listed under Item 10 of the Minutes.
- e) Correspondence requesting permission for private property liquor license extensions were received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that City Council has no objection to the proposed extended licensed areas as detailed in the written requests for liquor license extensions on private property for outdoor events on the following stated dates and times:

1. Portuguese Canadian Association
5 Cornwall Street
Annual Barbeque/picnic – July 6, 2013 from 12 noon to 8 p.m.
2. Great Northern Retirement Home
760 Great Northern Road
Family Fun Day – July 12, 2013 from 3 p.m. to 7 p.m.
3. G. Marconi Society
450 Albert Street West
Annual Italian Festival – July 14, 2013 from 12:00 noon to 1 a.m. (July 15)

CARRIED

- f) The current list of outstanding Council resolutions was received by Council.
- g) Correspondence from the Conservation Outreach Programs Co-ordinator concerning Ontario Family Fishing Events was received by Council.
- h) Strategic Growth Plan of the Ontario Finnish Resthome Association (OFRA) was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor F. Fata

Whereas the Ontario Finnish Resthome Association (OFRA) is a charitable, non-profit organization which provides accommodation, care and other supportive services for the health and welfare of aged persons in our community; and
Whereas OFRA is proposing to construct a new 81 unit Senior Independent Living Building; and

Whereas this facility will greatly assist in meeting the existing and future needs of the growing senior population in our community; and

Whereas the estimated \$16.4 million cost is a significant financial undertaking for OFRA;

Now Therefore Be it Resolved that City Council direct appropriate staff to provide a report on the process and requirements to re-instate a municipal tax increment rebate program for new rental housing as was previously provided in the downtown area (2008 – 2011). CARRIED

Moved by: Councillor M. Bruni

Seconded by: Councillor F. Fata

Whereas the City's Cycling Master Plan recommends the construction of a Hub Trail spoke through the Ontario Finnish Resthome Association property from North Street to the Fort Creek section of the J. Rowswell Hub Trail to provide a safe and scenic alternative to Second Line East; and

Whereas the OFRA supports the development of this spoke on the Resthome property; and

Whereas City Council has approved funding for the design of this spoke as part of the 2013 budget; and

Whereas considerable cost savings are expected by constructing this spoke as part of the planned site improvements on the OFRA property;

Now Therefore Be It Resolved that City staff be authorized to enter into a contract with STEM Engineering at a cost not to exceed \$15,000 for the design and potential contract administration of this section of the Hub Trail;

Further that City staff be directed to work with OFRA to identify possible funding sources for construction. CARRIED

Moved by: Councillor M. Bruni

Seconded by: Councillor F. Fata

Whereas the Ontario Finnish Resthome Association (OFRA) is a charitable, non-profit organization which provides accommodation, care and other supportive services for the health and welfare of aged persons in our community; and

Whereas the Provincial mandate is for all nursing homes to be upgraded to be a Class-A structurally compliant facility; and

Whereas OFRA has successfully operated a 63 bed Long Term Care (LTC) facility for the past 22 years providing needed care for the residents of Sault Ste. Marie and surrounding area; and

Whereas the NE-LHIN has a Call-For-Applications for 50 additional LTC beds; and

Whereas construction of a new 113 bed LTC Home would permit the redevelopment of the existing nursing home facility into 40 assisted living apartments for high risk seniors;

Now Therefore Be It Resolved that City Council strongly supports the OFRA Long Term Care Redevelopment Plan and requests that NE—LHIN and the Ministry of Health and Long Term Care grant the necessary approvals as soon as possible. CARRIED

i) **Staff Travel**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Chief Administrative Officer dated 2013 06 10 concerning Staff Travel requests be approved as requested. CARRIED

j) **Reserve Funding Request for Website Accessibility**

The report of the Commissioner of Social Services was received by Council.

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Social Services dated 2013 06 10 concerning Reserve Fund Request for Website Accessibility be received and

that the recommendation that \$14,900 for wages/benefits be allocated from the Accessibility Reserve fund to enable the population of accessible content on the redesigned City website be approved. CARRIED

k) **2011-2014 Strategic Plan – Mid-term Update**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2013 06 10 concerning 2011-2014 Strategic Plan – Mid-term Update be received as information and that the final draft of the Plan be approved. CARRIED

l) **Complaint to Ombudsman – Procedure By-law Committee**

The report of the City Clerk was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the City Clerk dated 2013 06 10 concerning Complaint to Ombudsman – Procedure By-law Committee be received as information of Council. CARRIED

m) **Request for Financial Assistance for National/International Sports Competitions – Lana Perry – Archery**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Recreation and Culture dated 2013 06 10 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200 grant to Lana Perry (3D Archery World Championships) be approved. CARRIED

n) **Miscellaneous Construction – Bridge Upgrades – Engineering Agreement**

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

The relevant By-law 2013-106 is listed under Item 10 of the Minutes.

o) **Biennial Aqueduct Inspection – Engineering Agreement**

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

The relevant By-law 2013-107 is listed under Item 10 of the Minutes.

p) **Muriel Avenue, Fort Creek Drive, Tallack Boulevard Sewage Pumping Station Upgrades, and Clark Creek Forcemain Analysis Engineering Agreement**

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

The relevant By-law 2013-112 is listed under Item 10 of the Minutes.

q) **Single Lane Bridge Rehabilitation – Four Shared Bridges with Prince Mill Funding Application**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Director of Engineering Services dated 2013 06 10 concerning Single Lane Bridge Rehabilitation – Four Shared Bridges with Prince Mill Funding Application be received as information. CARRIED

r) **2014 Capital Road Reconstruction Plan and Update on 2013 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 2013 06 10 concerning 2014 Capital Road Reconstruction Plan and Update on 2013 Plan be received as information and that the:

1. 2014 capital works program be approved;
2. Engineering Division be authorized to proceed with any remaining local improvement rolls and notices for 2014 works;
3. Engineering Division report back to City Council with a recommendation for the retention of consulting engineers for engineering projects that will not be completed in-house; and
4. engineering fee estimate for the Fort Creek Aqueduct (STEM Engineering agreement) be revised to \$352,000 (funds included in the capital works program budget). CARRIED

s) **Application No. A-10-13-Z.OP & 57T-13-502 – 179 & 227 Pointe Aux Pins Drive**

The report of the Planning Director was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2013 06 10 concerning Application No. A-10-13-Z.OP & 57T-13-502 – 179 & 227 Pointe Aux Pins Drive be received as information. CARRIED

Moved by: Councillor F. Manzo

Seconded by: Councillor J. Krmpotich

Whereas the Planning Division is recommending a hearing date of July 15, 2013 with respect to planning Application No. A-10-13-Z.OP and 57T-13-502 – 179 and 227 Pointe Aux Pins Drive; and

Whereas the decision of the Sault Ste. Marie and Region Conservation Authority, concerning the subject property is the subject of a judicial review; which review will not take place until mid-October 2013

Now Therefore Be It Resolved that planning Application No. A-10-13-Z.OP and 57T-13-502 – 179 and 227 Pointe Aux Pins Drive be postponed indefinitely pending the outcome of the said judicial review. DEFEATED

Recorded Vote:

For: Councillor F. Manzo

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

t) **Cycling Master Plan – Consulting Services**

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 2013 06 10 concerning Cycling Master Plan – Consulting Services be received and that the City retain MMM Group in association with Kresin Engineering to perform preliminary design and cost estimation services at an estimated cost of \$35,000 and that STEM Engineering be retained to perform design and cost estimation services for the design of a connecting spoke from the Finnish Resthome property to the Fort Creek section of the Hub Trail. CARRIED

u) **Request for a Deeming By-law for Lots 17 – 25 Plan 732 St. Mary's Sayers "E" Subdivision**

The report of the City Solicitor was received by Council.

The relevant By-law 2013-113 is listed under Item 10 of the Minutes.

v) **Renewal of City's Insurance Program – Jardine Lloyd Thompson Canada Inc.**

The report of the City Solicitor was received by Council.

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the City Solicitor dated 2013 06 10 concerning Renewal of City's Insurance Program be accepted and the recommendation to place the City's insurance package for the year June 1, 2013 to May 31, 2014

with Jardine Lloyd Thompson Canada Inc. through Algoma Insurance Brokers Limited at a cost of \$1,335,574.24 be approved. CARRIED

w) **Lease with S. and T. Electrical Contractors Limited – Sackville Road Property**

The report of the City Solicitor was received by Council.

The relevant By-law 2013-104 is listed under Item 10 of the Minutes.

x) **Fire Routes By-law**

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

The relevant By-law 2013-105 is listed under Item 10 of the Minutes.

y) **Ronald Sonke – 397 Sunnyside Beach Road – Committee of Adjustment Application Number A2-13-(2-10)-341-23905-R1**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor P. Christian

Resolved that the report of the City Solicitor/Prosecutor dated 2013 06 10 concerning Ronald Sonke – 397 Sunnyside Beach Road – Committee of Adjustment Application Number A2-13-(2-10)-341-23905-R1 be received as information. CARRIED

z) **Council Travel**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that Councillor Lou Turco be authorized to travel to the AMO Board of Director's meeting being held in London (2 days in June) at an estimated cost to the City of \$550 and the FONOM Board of Director's 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

a) Heritage Discovery Centre – Ermatinger•Clergue National Historic Site

Reports of the Manager of Purchasing; Commissioner of Finance and Treasurer; Manager of Audits and Capital Planning; and Commissioner of Community Services were received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the reports of the Manager of Purchasing; the Commissioner of Finance and Treasurer; the Commissioner of Community Services; and the Manager of Audits and Capital Planning, all dated 2013 06 10, concerning Tender for Construction of the Heritage Discovery Centre be accepted and that the tender be awarded to Avery Construction Ltd. at the low tender price of \$2,772,450 plus HST;

Further that the City's consultant, Chris Tossell, be authorized to provide a letter of intent formally authorizing Avery Construction Ltd. to proceed with construction. CARRIED

b) Creation of the Position of Deputy Mayor

The report of the City Clerk was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor P. Christian

Resolved that the report of the City Clerk dated 2013 06 10 concerning Creation of the Position of Deputy Mayor be received as information and that a by-law formalizing the position of Deputy Mayor be drafted and approved at a future meeting of Council. DEFEATED

Recorded Vote:

For: Mayor D. Amaroso, Councillors S. Butland, B. Watkins, P. Christian, F. Fata

Against: Councillors L. Turco, S. Myers, M. Bruni, J. Krmpotich, R. Niro, T. Sheehan, F. Manzo, P. Mick

(2) COMMUNITY SERVICES DEPARTMENT

(3) ENGINEERING

(4) FIRE

(5) LEGAL

(6) PLANNING

a) Application No. A-14-13-Z – filed by Palumbo Investments Inc. – 58 Blake Avenue

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

That Application A-14-13-Z be postponed to August 2013 City Council meeting. CARRIED

Pecuniary Interest – Councillor R. Niro – family member resides on Blake Street.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Division dated 2013 06 10 concerning Application No. A-14-13-Z – filed by Palumbo Investments Inc. – 58 Blake Avenue be received and that City Council rezones the subject property from “C4.S268” (General Commercial with a Special Exception) zone to “C4.S268” (General Commercial with an amended Special Exception) zone to permit on ‘Block B’ (subject property) a cold storage building subject to the following special provision:

- that outdoor storage of goods and materials in association with the use on ‘Block B’ is prohibited.

Furthermore, that City Council repeal provision 2b of Special Exception 268, which reduces the landscaping requirements to zero. DEFERRED

Pecuniary Interest – Councillor R. Niro – family member resides on Blake Street.

b) **A-16-13-Z.OP – Seamless Eavestrough MFG (c/o Joe Rocca) – 68 Railroad Ave.**

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 2013 06 10 concerning Application No. A-16-13-Z.OP – filed by Seamless Eavestrough MFG – 68 Railroad Avenue be received and that City Council defer this application to July 15, 2013 so that Planning staff can re-circulate public notice. CARRIED

c) **Proposed Rental Housing Community Improvement Plan**

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Division dated 2013 06 10 concerning the Proposed Rental Housing Community Improvement Plan be received and that City Council authorize public notice for the proposed Rental Housing Community Improvement Program. 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. Myers
Seconded by: Councillor T. Sheehan

Whereas a request has come forward for the consideration of City Council to change current by-laws related to beekeeping within the urban limits of the City, Now Therefore Be It Resolved that appropriate staff look into the matter of urban beekeeping and report back with recommendations as soon as possible.
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

By-laws before Council TO BE PASSED which do not require more than a simple majority.

- Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that all by-laws listed under Item 10 of the AGENDA under date June 10, 2013 be approved. CARRIED

- Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2013-61 being a by-law to stop up, close and authorize the conveyance of a street in the Sharon Hill II Subdivision, Plan M391 be read a THIRD time and finally PASSED in open Council this 10th day of June, 2013.
CARRIED

- Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2013-104 being a by-law to authorize a lease agreement between the City and S. & T. Electrical Contractors Limited for the use of City owned property abutting civic 158 Sackville Road, Sault Ste. Marie, Ontario be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-105 being a by-law of the Corporation of the City of Sault Ste. Marie to designate certain roadways as fire routes along which no parking of vehicles shall be permitted be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-106 being a by-law to authorize an engineering agreement between the City and Tulloch Engineering Inc. for the pre-design, design and construction inspection of bridge upgrades to four municipal structures with funds from the Sewer/Bridge and Miscellaneous Construction reserves be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-107 being a by-law to authorize the execution of an agreement between the City and STEM Engineering Group Incorporated for engineering services for the 2013 structural inspection of the City's major stormwater aqueducts be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-108 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 22 Ferris Avenue (Larouche) be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-109 being a by-law to remove the Holding (H) Provision from Zoning By-laws 2005-150 and 2005-151 for a part of the lands known municipally as 75 Huron Street (Riversedge) be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-110 being a by-law to permit the temporary closing of Queen Street East from Pim Street to Dennis Street for the purpose of the Annual Downtown Street party be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland
Resolved that By-law 2013-112 being a by-law to authorize the execution of an agreement between the City and AECOM Canada Ltd. for engineering services for the design and contract administration for the Muriel Avenue, Fort Creek

Drive, and Tallack Boulevard Sewage Pumping Station upgrades, and the Clark Creek Forcemain analysis and report for an engineering fee estimate of \$79,500 excluding HST be PASSED in open Council this 10th day of June, 2013. CARRIED

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that By-law 2013-113 being a by-law to deem not registered for purposes of subdivision control certain lots in the Sayers "E" Subdivision, pursuant to Section 50(4) of the *Planning Act* be PASSED in open Council this 10th day of June, 2013. 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 F. Manzo

Seconded by: Councillor P. Christian

Resolved that this Council now adjourn.

"Debbie Amaroso"
Mayor

"Malcolm White"
City Clerk