

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 05 27

4:30 P.M.

COUNCIL CHAMBERS

- Present:** Acting Mayor B. Watkins, Councillors L. Turco, S. Butland, S. Myers, M. Bruni, J. Krmpotich, R. Niro, P. Christian, F. Fata, T. Sheehan, F. Manzo, P. Mick
- Officials:** J. Fratesi, M. White, N. Kenny, S. Hamilton Beach, L. Girardi, N. Fera, B. Freiburger, M. Provenzano, F. Brescacin, M. Nadeau, D. McConnell, F. Coccimiglio
- Absent:** Mayor D. Amaroso (vacation)

1. ADOPTION OF MINUTES

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers
Resolved that the Minutes of the Regular Council Meeting of 2013 05 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 F. Fata
Seconded by: Councillor T. Sheehan
Resolved that the Agenda and Addendum #1 for 2013 05 27 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Troy and Annette Chandler were in attendance concerning proclamation – Spina

Bifida and Hydrocephalus Month.

- b) Rosie DeFazio and Chloe Halpenny, representatives of Schools Without Borders were in attendance concerning Proclamation – World No Tobacco Day.
- c) Mike Delfre, Executive Director – Canadian Bushplane Heritage Centre was in attendance concerning the Cultural Corridor, Sault Ste. Marie.
- d) Frank Brescacin, Assistant Fire Chief – Suppression was in attendance concerning a Fire Services Best Practice presentation.
- e) Dominic Parrella, President and CEO – PUC Services Inc. was in attendance concerning agenda item 6.(8)(a).
- f) Dominic Coccimiglio was in attendance concerning agenda item 6.(6)(a).
- g) Nino DiPasquo was in attendance concerning agenda item 6.(6)(b).
- h) Bob Paciocco and Justus Veldman was in attendance concerning agenda item 6.(6)(c).
- i) Mitch Larouche was in attendance concerning agenda item 6.(6)(d).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that all the items listed under date 2013 05 27 – Part One – Consent Agenda and Addendum #1 be approved as recommended. CARRIED

- a) Correspondence from AMO, FONOM was received by Council.
- b) Correspondence from the Town of East Gwillimbury (concerning surplus fill), the Municipality of Kincardine (concerning hosting industrial wind turbines), the City of Peterborough (concerning Ash Emerald Borer Management Plan resolution) and the Township of Malahide (concerning Drive Clean program resolution) was received by Council.
- c) Correspondence from the Minister of Transport concerning ballast water requirements was received by Council.
- d) **Staff Travel**
The report of the Chief Administrative Officer was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor T. Sheehan
Resolved that the report of the Chief Administrative Officer dated 2013 05 27 concerning Staff Travel requests be approved as requested. CARRIED

e) **RFP for Beer Pouring Rights – Essar Centre (2013CB01P)**

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

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2013 05 27 be endorsed and that the proposal for exclusive Beer Pouring Rights at the Essar Centre as required by the Community Centres Division of the Community Services Department be accepted as recommended. CARRIED

f) **Tender for One Pre-Engineered Steel Storage Building**

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

Moved by: Councillor F. Fata
Seconded by: Councillor T. Sheehan
Resolved that the report of the Manager of Purchasing dated 2013 05 27 be endorsed and that the tender for the supply and delivery of One Pre-Engineered Steel Storage Building as required by the Public Works and Transportation Department be awarded as recommended. CARRIED

g) **Registration of Tax Arrears Certificate(s) and Sale**

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

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers
Resolved that the report of the City Tax Collector be accepted to commence Tax Sale Proceedings in accordance with the report. CARRIED

h) **Cost Savings and Other Efficiencies Realized Over the Last Five Years**

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

Moved by: Councillor M. Bruni
Seconded by: Councillor T. Sheehan
Resolved that the report of the Chief Administrative Officer dated 2013 05 27 concerning Cost Savings and Other Efficiencies Realized Over the Last Five Years be received as information. CARRIED

Councillor L. Turco declared a pecuniary interest on the Police Services portion of the report — spouse employed by Police Services.

i) **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 F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2013 05 27 concerning 2011-2014 Strategic Plan – Mid-term Update be received as information. CARRIED

j) **Municipal Coat of Arms**

The report of the City Clerk was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the City Clerk dated 2013 05 27 concerning Municipal Coat of Arms be received as information. CARRIED

k) **W.J. McMeeken Centre Chiller Replacement Update**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Commissioner of Community Services dated 2013 05 27 concerning W.J. McMeeken Centre Chiller Replacement Update be received as information. CARRIED

l) **503 Bay Street (Old Brewery) – Engineering Review and Possible Demolition**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Chief Building Official/Property Standards Officer dated 2013 05 27 concerning Civic No. 503 Bay Street be accepted and the recommendation that the Corporation hire the forces necessary to do a structural review to determine the structural integrity of the portion that has suffered fire damage and proceed, if determined necessary, demolish the front 2 storey office portion at an estimated cost of \$130,000 adding the costs of this action to the taxes of the subject property be approved. CARRIED

m) **Contract 2013-6E – Fourth Line – East Davignon Creek Culvert Replacement**

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

The relevant By-laws 2013-102 and 2013-103 are listed under Item 10 of the Minutes.

n) **Contract 2013-8E – Miscellaneous Paving**

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

The relevant By-law 2013-101 is listed under Item 10 of the Minutes.

o) **Contract 2013-7E – Surface Treatment – Various Locations**

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

The relevant By-law 2013-99 is listed under Item 10 of the Minutes.

p) **Request to Have Water Lot Abutting 1009 Queen Street East Declared Surplus and Sold to the Abutting Owner**

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

The relevant By-law 2013-97 is listed under Item 10 of the Minutes.

q) **Request to Have City Owned Property Located at 28 Simcoe Street Declared Surplus**

The report of the City Solicitor was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the City Solicitor dated 2013 05 27 concerning Request to have City Owned Property – 28 Simcoe Street Declared Surplus be accepted and the recommendation that the property be declared surplus and sold to the owner of 48 Simcoe Street be approved. CARRIED

r) **26 Lidstone Street Snow Plough Agreement**

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

The relevant By-law 2013-89 is listed under Item 10 of the Minutes.

s) **Part Lot Control By-law for Part of PIN 31511-0201 (LT) for Lots 1 to 24 Inclusive, Plan 1M589, Fox Run Subdivision, Phase I**

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

The relevant By-law 2013-95 is listed under Item 10 of the Minutes.

t) **Revised Travel Expenses**

The report of the City Solicitor was received by Council.

The relevant By-law 2013-96 is listed under Item 10 of the Minutes.

u) **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 2013-90 is listed under Item 10 of the Minutes.

v) **Ontario Municipal Board Hearing – 1465 Maki Road – Zoning Application A-11-12-A.OP**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Assistant City Solicitor dated 2013 05 27 concerning Ontario Municipal Board Hearing – 1465 Maki Road – Zoning Application A-11-12-A.OP be received as information. CARRIED

w) **Transfer to Ontario Finnish Resthome Association of Part 2 or 1R-3234**

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

The relevant By-law 2013-93 is listed under Item 10 of the Minutes.

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) **Amendment to Digital Signs By-law 2012-206 – Application 1-13 filed by Domenic Coccimiglio – Bridgetown Realty**

The report of the Planning Division was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Division dated 2013 05 27 concerning Amendment to Digital Signs By-law 2012-206 – Application 1-13 filed by Domenic Coccimiglio – Bridgetown Realty – 85 Great Northern Road be received and that City Council deny the applicant's request to locate a digital sign at the proposed location without the benefit of a Safety Review completed in accordance with Section 3.6 of Digital Signs By-law 2012-206. CARRIED

b) **Application No. A-11-13-Z – filed by Nino Dipasquo – 414 Korah Road**

The report of the Planning Division was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2013 05 27 concerning Application No. A-11-13-Z – filed by Nino Dipasquo – 414 Korah Road be received and that City Council approve the application and rezone the subject property from “R3” (Single Detached Residential) zone to “R3.S” (Single Detached Residential with a Special Exception) zone to permit a 4-plex in addition to the uses permitted in an “R3” zone. CARRIED

c) **Application No. A-12-13-Z – filed by Riversedge Developments Inc. – 75 Huron Street**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Division dated 2013 05 27 concerning Application No. A-12-13-Z – filed by Riversedge Developments Inc. – 75 Huron Street be received and that City Council approves the request for the removal of this Holding By-law for the former office building, machine shop and related parking only. This approval will allow for the redevelopment and reuse of these two existing buildings. CARRIED

d) **Application A-13-13-Z – filed by Mitch Nelson Larouche – 22 Ferris Ave.**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2013 05 27 concerning Application A-13-13-Z – filed by Mitch Nelson Larouche – 22 Ferris Ave. be received and that City Council approves this application and rezones the subject property from “R2” (Single Detached Residential) zone to “R2.S” (Single detached Residential with a Special Exception) zone to permit a triplex, in addition to the uses permitted in a “R2” zone, subject to the following special provisions:

1) that the required frontage be reduced to 10m;

2) that the required area be reduced to 310m sq. CARRIED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) Annual Shareholder Meetings – PUC Inc. and PUC Services Inc.

The memorandum and Non-Consolidated Financial Statements from Dominic Parrella, President and C.E.O., PUC Inc. and PUC Services Inc. were received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that City Council is now authorized to meet in open session as the sole shareholder of PUC Inc. and PUC Services Inc.; and

Further resolved that City Council appoints Acting Mayor Brian Watkins as Council's proxy to vote on the resolutions of the shareholder of PUC Inc. and PUC Services Inc. CARRIED

**7. UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS
PLACED ON AGENDA BY MEMBERS OF COUNCIL**

a) Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Whereas the Walk of Fame program was established in 2002 to provide recognition of citizens or former citizens who have demonstrated outstanding achievements; and

Whereas recognition is provided in the form of granite maple leaves embedded in the sidewalk in the downtown area adjacent to Essar Centre; and

Whereas the existing granite maple leaves have been adversely impacted by weather and other conditions;

Now Therefore Be It Resolved that appropriate staff be requested to review options to remediate the situation (including investigating relocation of the leaves) and report back to City Council with recommendations and associated costs. CARRIED

b) Moved by: Councillor T. Sheehan

Seconded by: Councillor S. Myers

Whereas Sault Ste. Marie resident Bill Nash while playing lead for Northern Ontario recently won the Canadian Postal Employee's Curling Classic; and

Whereas this National event has taken place every year since 1966 and was last held in Sault Ste. Marie in 1994; and

Whereas the other team members for Northern Ontario are Ron Rosengren (skip), Dave Sholtz (third) and Jenna Enge (second) of Thunder Bay;

Now Therefore Be It Resolved that Sault Ste. Marie offer its congratulations to Bill Nash and the rest of his team on winning this national curling championship. 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 F. Fata

Seconded by: Councillor T. Sheehan

Resolved that all by-laws listed under Item 10 of the AGENDA under date May 27, 2013 be approved. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-89 being a by-law to authorize the execution of an agreement between the City, Peter Mattalo and Kristine Gavin for the use of a portion of 26 Lidstone Street as a snow plough turnaround be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-90 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 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-91 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 540 Wellington Street West (Conquest Investments Inc.) be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-92 being a by-law to designate the lands located at 540 Wellington Street West an area of site plan control (Conquest Investments Inc.) be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-93 being a by-law to authorize the transfer of surplus property described as Part 2 on Plan 1R3234 from the City to the Ontario Finnish Resthome Association be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-94 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 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-95 being a by-law to designate Lots 1 to 24 inclusive, Plan 1M589 in the Fox Run Subdivision, Phase 1, Sault Ste. Marie as an area not subject to part lot control be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-96 being a by-law to amend By-law 2011-145 which authorizes payment of membership fees, registration fees and travel expenses incurred by members of the Council and employees of the Corporation while travelling on the business of the Corporation be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-97 being a by-law to authorize the sale of surplus property abutting civic 1009 Queen Street East to Mary Ambeault and Raymond Schryer be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-99 being a by-law to authorize a contract between the City and Ellwood Robinson Limited for supply and application of surface treatment be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-101 being a by-law to authorize a contract between the City and Ellwood Robinson Limited for miscellaneous construction/paving be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-102 being a by-law to authorize a contract between the City and Avery Construction Limited for the Fourth Line – East Davignon Creek Culvert replacement be PASSED in open Council this 27th day of May, 2013. CARRIED

Moved by: Councillor F. Fata

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-103 being a by-law to permit the continued road closure of Fourth Line West (Brule Road to Moss Road) until September 30, 2013 to facilitate Fourth Line – East Davignon Creek Culvert Replacement be PASSED in open Council this 27th day of May, 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 M. Bruni

Seconded by: Councillor S. Myers

Resolved that this Council now adjourn. CARRIED

Mayor

Deputy City Clerk