

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 03 04

4:30 P.M.

COUNCIL CHAMBERS

Present: Mayor D. Amaroso, Councillors S. Butland, M. Bruni, J. Krmpotich, R. Niro, P. Christian, F. Fata, T. Sheehan, F. Manzo, P. Mick

Absent: Councillors L. Turco, S. Myers, B. Watkins

Officials: J. Fratesi, M. White, N. Kenny, S. Hamilton Beach, N. Apostle, B. Freiburger, J. Dolcetti, D. McConnell, D. Scott, F. Coccimiglio

1. ADOPTION OF MINUTES

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the Minutes of the Regular Council Meeting of 2013 02 19 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 2013 03 04 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Mike Delfre, Chair, Sault Ste. Marie Easter Seals Telethon, Lori Amendola and Hunter Vommaro 2013 Easter Seals Sault Ste. Marie Ambassador were in attendance concerning proclamation – March is Easter Seals Month.
- b) Art Osborne, Volunteer – Canadian Red Cross was in attendance concerning proclamation – Red Cross Month.
- c) Christine Pagnucco, Manager – Physician Recruitment and Retention was in attendance concerning agenda item 6.(8)(a).
- d) Dominic Parella, President and CEO, PUC Inc was in attendance concerning agenda item 6.(8)(b).
- e) Peter Bortolussi, Frank Farrell, Niki Corcoran and Keith Benson were in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that all the items listed under date 2013 03 04 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO, FONOM was received by Council.
- b) Correspondence requesting permission for private property liquor license extension was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

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 dates and times:

Royal Canadian Legion Branch 25

96 Great Northern Road

Appreciation Night – June 4, 2013 from 11:00 a.m. to 11:00 p.m.

Annual Horseshoe Tournament – August 17, 2013 from 11:00 a.m. to 11:00 p.m.

CARRIED

c) Staff Travel

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

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that the report of the Chief Administrative Officer dated 2013 03 04 concerning Staff Travel requests be approved as requested. CARRIED

d) **2013 Budget Meeting**

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

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that the report of the Commissioner of Finance and Treasurer dated 2013 03 04 concerning 2013 Budget Meeting be received as information. CARRIED

e) **2012 Building Division Annual Fee Report**

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

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that the report of the Chief Building Official dated 2013 03 04 concerning 2012 Building Division Annual Fee Report be received as information. CARRIED

f) **PUC Shareholder Agreements**

The report of the City Solicitor was received by Council.

The relevant By-laws 2013-044 and 2013-045 are listed under Item 10 of the Minutes.

g) **Request for a Deeming By-law for Lots 50 and 51 Plan 1219 St. Mary's, Wilson "B" Subdivision**

The report of the City Solicitor was received by Council.

The relevant By-law 2013-041 is listed under Item 10 of the Minutes.

h) **Premiere Landscaping and Garden Centre Inc. – 1485 Maki Road**

The report of the City Solicitor was received by Council.

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that the report of the City Solicitor dated 2013 03 04 concerning Premiere Landscaping and Garden Centre Inc. – 1485 Maki Road be received as information. CARRIED

i) **Ontario Municipal Board Hearing – 226 River Road – Zoning By-law 2012-148**

The report of the City Solicitor was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the City Solicitor dated 2013 03 04 concerning Ontario Municipal Board Hearing – 226 River Road – Zoning By-law 2012-148 be received as information. CARRIED

j) **Comprehensive Official Plan Review**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2013 03 04 concerning Comprehensive Official Plan Review be received and that City Council accepts this report and the attached draft Official Plan as information and authorizes the Planning Advisory Committee to host a Public Open House on Wednesday, April 10, 2013 from 4:00 p.m. to 8:00 p.m. CARRIED

k) **Proposed West End Community Bus Service**

The report of the Manager of Transit and Parking was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Transit and Parking dated 2013 03 04 concerning Proposed West End Community Bus Service be accepted and the recommendation to redirect \$77,235 in Provincial Gas Tax funding from Trans Cab services to a new West End Community Bus Route be approved. CARRIED

l) **Public Works Equipment Storage Facility**

The report of the Manager of Equipment and Building Maintenance was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Buildings and Equipment Maintenance dated 2013 03 04 concerning Public Works Equipment Storage Facility be accepted and the recommendation to prepare specifications and tender the project at an estimated cost of \$250,000 with funding from the Public Works Equipment Reserve be approved. CARRIED

m) **Ontario One Call ('ON1Call') Service Registration**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy Commissioner, Public Works and Transportation dated 2013 03 04 concerning Ontario One Call (ON1Call) Service Registration be accepted and the recommendation to proceed with the registration process with a final agreement being brought back to Council at a future meeting be approved. CARRIED

n) **Alternate Locate Agreement with Union Gas and Delegated Signing Authority for Similar Agreements with Other Utility Companies**

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

The relevant By-laws 2013-042 and 2013-043 are 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) **Application No. A-8-06-Z.OP & 57T-06-501 – filed by Jane Eva Hedlund, Catherine Shunock, 206211 Ontario Limited and Frank Shunock**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2013 03 04 concerning Application No. A-8-06-Z.OP & 57T-06-501 – filed by Jane Eva Hedlund, Catherine Shunock, 206211 Ontario Limited and Frank Shunock – 1525, 1675, 1707, 1709, 1715, 1731 Trunk Road and 834 River Road be received and that City Council postpone this application to the April 8, 2013 Council Meeting. CARRIED

b) Application No. A-4-13-Z – filed by 1743503 Ontario Inc.

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2013 03 04 concerning Application No. A-4-13-Z – filed by 1743503 Ontario Inc. – 496 Second Line West be received and that City Council approves this application and rezones the subject property from “R2” (Single Detached Residential) zone to “R4” (Medium Density Residential) zone, subject to the 5 conditions contained in the report. CARRIED

Moved by: Councillor J. Krmpotich

Seconded by: Councillor F. Manzo

Resolved that agenda item 6.(6)(b) planning application No. A-4-13-Z – filed by 1743503 Ontario Inc. – 496 Second Line West be postponed to the March 25, 2013 Council meeting. DEFEATED

Recorded Vote:

For: Mayor D. Amaroso, Councillors S. Butland, M. Bruni, R. Niro, P. Christian, F. Fata, T. Sheehan, P. Mick

Against: Councillors J. Krmpotich, F. Manzo

Absent: Councillors L. Turco, S. Myers, B. Watkins

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) Sault Ste. Marie Physician Recruitment and Retention

The report of the Sault Ste. Marie Physician Recruitment and Retention Office was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Sault Ste. Marie Physician Recruitment and Retention Office dated March 2013 concerning the Sault Ste. Marie Physician Recruitment and Retention Activity Report and proposed 2013/2014 budget request to the City in the amount of \$464,850 for the period of April 1, 2013 to March 31, 2014 funded from the Hospital Development Reserve Fund be approved. CARRIED

b) Report of the Ontario Distribution Sector Review Panel

The memo concerning the report of the Ontario Distribution Sector Review Panel was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Whereas the Ontario Distribution Sector Review Panel (the Panel) released a report dated December 13, 2012 regarding electricity distribution and distribution models; and

Whereas the Panel report recommended a sole solution of forced consolidation of LDCs across the Province; and

Whereas the Panel further recommended legislation to force the said mergers if they are not achieved voluntarily within a 6 to 9 month time period; and

Whereas the Panel made the said recommendations contrary to the submissions made to the Panel by the Association of Municipalities of Ontario (AMO), the Electricity Distributors Association (EDA) and the City of Sault Ste. Marie; and

Whereas AMO has expressed disappointment with the Panel's report; and

Whereas the EDA has expressed disappointment with the Panel's report; and

Whereas the solution set out in the Panel's report will have a detrimental effect on Sault Ste. Marie in terms of: higher costs for electricity and water for customers, loss of jobs in Sault Ste. Marie due to the merger, loss of local control over the utility, potential loss of dividend to Sault Ste. Marie as the shareholder of the utility, potential loss of the value of electrical assets owned by the City of Sault Ste. Marie and loss of past successes to control costs;

Now Therefore Be It Resolved that appropriate members of City Council and City staff extend an invitation to meet with MPP David Oraziotti to discuss concerns with the Panel's report and further that correspondence be drafted to the Minister of Energy expressing the City's concerns with the Panel's report. CARRIED

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

Resolved that the City of Sault Ste. Marie in co-operation with Tourism Sault Ste. Marie and the Sault Minor Baseball Association invite the Toronto Blue Jays baseball team to Northern Ontario and Sault Ste. Marie specifically for their Winter Tour 2013. CARRIED

b) Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Whereas the provincial government has introduced the "Safe Drinking Water Act" which establishes new guidelines for municipal water quality and safety throughout the province; and

Whereas Section 19 of the Act extends legal responsibility to anyone with decision-making authority over municipal drinking water systems; and

Whereas councillors must exercise due diligence and a level of care in exercising their decision-making responsibilities over the city's municipal drinking water; and

Whereas Sault Ste. Marie City Councillors were provided with a list of items that they should be familiar with in order to meet the standards of due diligence under the Act;

Now Therefore Be It Resolved that City Council ask appropriate staff to work with the PUC to develop a training program for councillors to address the items on the above mentioned list; and

Further that Council requests the PUC to consider conducting a formal classroom training session and possible site visits to augment any written materials that will be needed and to seek the help of any outside authorities or personnel who may be needed to assist with this training. CARRIED

c) Moved by: Councillor T. Sheehan

Seconded by: Councillor S. Butland

Whereas the City of Sault Ste. Marie has been investing a great deal of resources rebuilding and reconstructing our roads; and

Whereas the ongoing Queen Street East reconstruction project is one example of such an important investment; and

Whereas during the course of reconstruction the City has taken down the lights at the Kohler Street and Queen Street East intersection; and

Whereas this area is densely populated with many people including seniors and children; and

Whereas the fate of the "old hospital site" is yet to be determined; and

Whereas many people continue to attend the Doctor's Building at this intersection; and

Whereas a number of accidents have been reported by people living and working in the area,

Now Therefore Be It Resolved that appropriate staff report back to Council on how the lights might be put back up or other traffic controls be considered and also report on any other safety solution to this serious problem. CARRIED

d) Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Resolved that the PUC be requested to ensure that all fire hydrants are exposed at all times during the winter season.

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 P. Mick

Seconded by: Councillor R. Niro

Resolved that all by-laws listed under Item 10 of the AGENDA under date March 4, 2013 be approved. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that by-law 2013-40 being a by-law to amend Schedule "A" of Traffic By-law 77-200 regarding Third Line East at the Hub Trail entrance be PASSED in open Council this 4th day of March, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2013-41 being a by-law to deem not registered for purposes of subdivision control certain lots in the Wilson "B" Subdivision, pursuant to Section 50(4) of the *Planning Act* be PASSED in open Council this 4th day of March, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2013-42 being a by-law to authorize the execution of an Alternate Locate Agreement between the City and Union Gas Limited for a term of two (2) years be PASSED in open Council this 4th day of March, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2013-43 being a by-law to delegate to the Commissioner of Public Works and Transportation certain powers under section 23.1 of the *Municipal Act, 2001* be PASSED in open Council this 4th day of March, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2013-44 being a by-law to authorize the execution of an amending agreement to the Shareholder Agreement between the City and PUC Inc. be PASSED in open Council this 4th day of March, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that By-law 2013-45 being a by-law to authorize the execution of an amending agreement to the Shareholder Agreement between the City and PUC Services Inc. be PASSED in open Council this 4th day of March, 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that By-law 2013-46 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 4th day of March, 2013. CARRIED

11. QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON THE AGENDA

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that Council shall now go into Caucus to consider a property matter concerning the potential disposition of property in the Old Garden River Road area; and
Further Be It Resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matters without the need for a further authorizing resolution.

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that this Council now adjourn. CARRIED

Debbie Amaroso
Mayor

Malcolm White
City Clerk