

MINUTES

REGULAR MEETING OF CITY COUNCIL

2014 01 06

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 (illness)

Officials: J. Fratesi, R. Tyczinski, N. Kenny, L. Girardi, N. Apostle, B. Frieburger, J. Dolcetti, M. Zuppa, D. McConnell, V. McLeod, F. Coccimiglio

1. ADOPTION OF MINUTES

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the Minutes of the Regular Council Meeting of 2013 12 02 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. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the Agenda and Addendum #1 for 2014 01 06 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) The winners of the 2013 Christmas Lighting Awards were in attendance to receive their awards and gift certificates from PUC Services Inc.
- b) Terry Caporossi, Executive Director, Alzheimer Society of Sault Ste. Marie and Algoma District was in attendance concerning proclamation – Alzheimer Awareness Month.
- c) Chamber of Commerce Oath of Office – Incoming Chamber President, First Vice President, Treasurer and General Manager.
- d) Harvey Robbins, Vice Chair, Municipal Heritage Committee was in attendance concerning the Historic Persons Project.
- e) Madison Zuppa, Environmental Initiatives Co-ordinator, was in attendance concerning Ontario Power Authority Community Conservation Awards.
- f) Dominic Parrella, President and CEO, PUC Services Inc. was in attendance concerning agenda item 6.(8)(a).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that all the items listed under date 2014 01 06 – Part One – Consent Agenda be approved as recommended. CARRIED

a) Team Jacobs

Correspondence from the Federation of Northern Ontario Municipalities was received by Council.

b) OMERS Update

Correspondence from AMO was received by Council.

c) Requalification of Municipal Building Officials

Correspondence from the County of Lambton was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Whereas municipal building officials are the main practitioners of the Ontario Building Code (OBC) and use the OBC on a daily basis in the carrying out of their duties; and

Whereas Bill 124 that passed in 2005 required all municipal building officials to undertake a series of qualification exams; and

Whereas a subsequent regulation 332/12 (knowledge and maintenance examinations) requires our already qualified officials to requalify by taking a similar series of qualification exams again; and

Whereas this requalification process will provide municipalities with financial hardships in terms of registration costs, mileage costs, days away from the office to undertake their regular duties in performing timely inspections that is expected by the building industry; and

Whereas municipal building officials acknowledge the need to stay current with legislation and to undergo necessary training to do so; and

Whereas the builders and home owners will suffer slower response time for building permits and inspections until all of the building officials are qualified;

Now Therefore Be It Resolved that the Corporation of the City of Sault Ste. Marie in support of the Southwestern Chapter of the Ontario Building Officials Association and the County of Lambton resolves;

That any amendments to the OBC include provisions for training opportunities rather than requalification examinations as the means by which building officials remain current of changes to the OBC;

That municipal building officials, as the primary practitioners of the OBC, receive the same treatment as plumbers, electricians, professional engineers and architects with regard to exemption from requalification;

That the negative impact and delays that Ontario regulation 332/12 will have on the issuance of permits, inspections and response times to inquiries by municipal building officials should be taken into consideration;

That municipalities and taxpayers be spared the cost of 'knowledge and maintenance examinations' under the proposed amendment to the OBC which will provide undue hardship to municipalities through lost productivity, early retirement and costs associated with the 13 categories of examinations required by fully qualified inspectors. CARRIED

d) Municipal Electoral Districts

Correspondence from the City of Kingston was received by Council.

e) Timing of Assessments by MPAC

Correspondence from the Township of Mulmur was received by Council.

f) OPP Costing

Correspondence from the Township of Champlain was received by of Council.

g) **Labour Market Agreement**

Correspondence from the Hon. Brad Duguid, Minister of Training, Colleges and Universities was received by Council.

h) **Provincial Gas Tax**

Correspondence from the Hon. Glen Murray, Minister of Transportation, was received by Council.

The relevant By-law 2014-17 is listed under item 10 of the Minutes.

i) **Seniors Health Advisory Committee – Transit Passes**

Correspondence requesting that Council consider offering free transit to seniors over 80 who have lost their driver's licence was received by Council.

j) **Staff Travel Requests**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Chief Administrative Officer dated 2014 01 06 concerning Staff Travel Request be approved as requested. CARRIED

k) **Electronic Agenda**

The report of the City Clerk was received by Council.

The relevant By-law 2014-18 is listed under Item 10 of the Minutes.

l) **Acting Mayor – Procedure By-law**

The report of the City Clerk was received by Council.

The relevant By-law 2014-19 is listed under Item 10 of the Minutes.

m) **Videotaping Council and Committee Meetings – Procedure By-law**

The report of the City Clerk was received by Council.

The relevant By-law 2014-18 is listed under Item 10 of the Minutes.

n) **Funding Application – Celebrate Canada Program**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Supervisor of Community Services dated 2014 01 06 concerning Celebrate Canada Program funding be received as information;

further that staff be authorized to apply to the Department of Canadian Heritage for the 2014 Celebrate Canada Program to assist in funding the City's Canada Day celebration. CARRIED

o) Northern Community Centre – Indoor Golf Driving Range

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Community Services dated 2014 01 06 concerning an indoor golf range at the Northern Community Centre be received as information; further that this initiative be referred to 2014 budget deliberations (Supplementary). CARRIED

p) Feasibility of Creating and Operating a Splash Park

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Community Services dated 2014 01 06 concerning Feasibility of Creating and Operating a Splash Park be received as information. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor P. Christian

Resolved that further research be undertaken with respect to a municipal splash park, specifically:

1. how other municipalities have funded splash parks and the costs associated to construct and maintain;
2. what other swimming facilities exist in these communities;
3. opportunities for partnership.

CARRIED

q) Essar Centre – Update on Breakdown of Circulation Fans

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Community Services dated 2014 01 06 concerning Essar Centre – Update on Breakdown of Circulation Fans be received as information. CARRIED

r) Property Standards Compliance Actions – Gore Street Area Downtown Development

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Chief Building Official dated 2014 01 06 concerning Property Standards Compliance Actions – Gore Street Area Downtown Development be received and that Council authorizes appropriate staff to initiate a comprehensive by-law compliance review of this downtown catchment area; further that appropriate action be taken to remedy any non-compliance. CARRIED

s) **Agreement with Superior Advertising Limited – Billboard Sign – 331 Queen Street East**

The report of the City Solicitor was received by Council.

The relevant By-law 2014-3 is listed under Item 10 of the Minutes.

t) **Property Purchase 1427 Trunk Road from Angela and Nicola Scocchia**

The report of the City Solicitor was received by Council.

The relevant By-law 2014-5 is listed under Item 10 of the Minutes.

u) **Licencing By-laws – Housekeeping**

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

The relevant By-law 2014-15 is listed under Item 10 of the Minutes.

v) **Building By-laws – Housekeeping**

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

The relevant By-laws 2014-12, 2014-13 and 2014-14 are listed under Item 10 of the Minutes.

w) **Travel Request – Wawa Provincial Offences Court**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Solicitor/Prosecutor dated 2014 01 06 concerning travel to Wawa for Provincial Offences Court be received and that the Solicitor/Prosecutor be authorized to travel to Wawa in 2014 at an estimated annual cost of \$2,400. CARRIED

x) **Traffic Assessment on Bainbridge Street**

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

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2014 01 06 concerning Traffic Assessment on Bainbridge Street be received as information. CARRIED

y) **Operations – Purchase of Replacement Emergency Wastewater Pumps**

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

Moved by: Councillor P. Christian
Seconded by: Councillor J. Krmpotich
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2014 01 06 concerning sole sourcing two new emergency wastewater pumps be approved with funding from the Sanitary Sewer Capital Account for Public Works and Transportation Emergency Repairs for 2013. CARRIED

z) Correspondence from Stop The Great Lakes Nuclear Dump Inc. was received by Council.

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-22-13-Z – Rita Marie Sopha – 23 Ferris Avenue**

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 2014 01 06 concerning Application No. A-22-13-Z – filed by Rita Marie Sopha – 23 Ferris Avenue be

received and that City Council postpone this application to February 3, 2014.
CARRIED

b) Application No. A-1-14-Z – Brian Stewart – 93 Lake Street

The report of the Planning Division was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2014 01 06 concerning Application No. A-1-14-Z – Brian Stewart – 93 Lake Street be received and that City Council approve the application by rezoning the subject property from "R2" (Single Detached Residential Zone) to "R2.S" (Single Detached Residential Zone with a Special Exception) to permit a duplex dwelling on the subject property in addition to the uses permitted, subject to the following special provisions:

1. That the required parking for the duplex be reduced from three (3) to two (2) spaces;
2. That required parking spaces may be stacked;
3. That required parking spaces may be permitted within a required front yard.

CARRIED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) 2013 Third Quarter Shareholder Report

The report of the President and C.E.O. of PUC Services Inc. was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the President and C.E.O. of PUC Services Inc. dated 2013 12 16 concerning 2013 Third Quarter Shareholder Report be received as information. CARRIED

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

a) Mover: Councillor T. Sheehan

Seconder: Councillor L. Turco

Whereas Team Jacobs (Skip Brad Jacobs, third Ryan Fry, second E.J. Harnden, lead Ryan Harnden, alternate Caleb Flaxey and coach Tom Coulterman) recently won the Canadian Olympic trials – "Tim Hortons Roar of the Rings" held in Winnipeg, Manitoba; and

Whereas Team Jacobs accomplished this after a thrilling double take-out in the ninth end taking a 7-4 lead over Team Morris and then ran them out of rocks in the 10th.

Now Therefore Be It Resolved that City Council on behalf of the citizens of Sault Ste. Marie congratulate Team Jacobs on the championship and wish them best of luck in representing Canada at the upcoming 2014 Winter Olympics in Sochi, Russia. CARRIED

b) **NOTICE OF MOTION**

Mover: Councillor S. Myers

Seconder: Councillor P. Mick

Whereas on January 25, 2010 City Council passed a resolution to accept the first City Council and Local Boards Code of Conduct policy; and

Whereas it is the desire of this Council to maintain the highest level of transparency and accountability to one another and the public; and

Whereas since that time there have been a number of cases wherein the question of application of a Code of Conduct for members of City Council has been raised;

Now Therefore Be It Resolved that City Council strikes a committee to review the current City Council and Local Boards Code of Conduct and bring back a report with recommendations for any changes and

Further Be It Resolved that this committee consists of members of Council and appropriate City Staff and that it be a committee open to the public for observation. CARRIED

c) **NOTICE OF MOTION**

Mover: Councillor P. Christian

Seconder: Councillor R. Niro

Whereas Dr. Alex Sinclair was a well-respected Sault Ste. Marie medical doctor; and

Whereas Dr. Sinclair dedicated his life to the community and the patients he served; and

Whereas his legacy of generosity and kindness is well documented and evident in Sault Ste. Marie; and

Whereas Dr. Sinclair was recognized nationally as a leader in his profession, serving as Chief of Staff of the Plummer Hospital, as founder of the Children's Rehabilitation Centre Algoma and was recognized in 1985 as "one of the fifty MDs who stand out in history." by Canadian Doctor Magazine; and

Whereas the street in Sault Ste. Marie that was named in his honour has been decommissioned as a result of the International Bridge Plaza modernization;

Now Therefore Be It Resolved that city council, on behalf of the citizens of Sault Ste. Marie, extend its sincere gratitude to the family of Dr. Sinclair in recognition of his outstanding achievements and commitment to our community; and

Further, that the City of Sault Ste. Marie, at its earliest opportunity, name a city street in honour of Dr. Sinclair, an extraordinary Sault Ste. Marie citizen. CARRIED

d) **NOTICE OF MOTION**

Mover: Councillor T. Sheehan

Seconder: Councillor J. Krmpotich

Whereas Canada Post is a vital communications link that helps connect our great country; and

Whereas eliminating home delivery for urban customers in Sault Ste. Marie will unfairly impact seniors and people with disabilities; and

Whereas these planned cuts will mean the loss of up to 8,000 good-paying jobs across the Country including job losses for our community; and

Whereas drastically increasing postal rates will make life even more expensive for cash-strapped families, small businesses and charitable organizations; and

Now Therefore Be It Resolved that the Sault Ste. Marie City Council call on the Government of Canada to stop these devastating cuts to our postal service.

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 S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that all by-laws listed under Item 10 of the AGENDA under date 2014 01 06 be approved. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that By-law 2014-1 being a by-law to consolidate amendments to Traffic By-law 77-200 be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that By-law 2014-2 being a by-law to re-adopt Official Street Names List be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-3 being a by-law to authorize a Ground Rent Agreement between the City as Lessor and Superior 7 Advertising Limited as Lessee to permit a billboard sign for advertising purposes on a portion of the City owned property known as 331 Queen Street East be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-5 being a by-law to authorize the City's purchase of property located at civic 1427 Trunk Road (Scocchia) be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-6 being a by-law to amend Comprehensive Zoning By-law 2005-150 be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-7 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 140 Fourth Line West be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-8 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located west of 355 Wellington Street West be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-9 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 96 White Oak Drive East be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-10 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 907 Third Line East (Fox Run Subdivision), formerly referenced as 817 and 817A Third Line East be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-11 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 1183 Old Goulais Bay Road (Possamai) be Passed in open Council this 6th day of January, 2014.
CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-12 being a by-law to regulate private swimming pools, the plumbing therein, and their surrounding fences within The Corporation of the City of Sault Ste. Marie be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-13 being a by-law to regulate the numbering of lots and building suites within the City of Sault Ste. Marie be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-14 being a by-law to regulate the naming of Private Roadways and the numbering of lots and building suites thereon within the City of Sault Ste. Marie be Passed in open Council this 6th day of January, 2014.
CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-15 being a by-law to repeal various by-laws that amend Licensing By-laws of the City of Sault Ste. Marie that have been repealed be Passed in open Council this 6th day of January, 2014. CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-17 being a by-law to authorize the execution of a Letter of Agreement between Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario and the City for funding under the Dedicated Gas Tax Funds for Public Transportation Program be Passed in open Council this 6th day of January, 2014.
CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-18 being a by-law to amend Council Procedure By-law 2013-100 be Passed in open Council this 6th day of January, 2014.
CARRIED

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich
Resolved that By-law 2014-19 being a by-law to adopt the rotation list for Acting Mayor for the current Council session be Passed in open Council this 6th day of January, 2014. 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. Christian
Seconded by: Councillor J. Krmpotich
Resolved that this Council now adjourn. CARRIED

Mayor

City Clerk