THE CORPORATION OF THE CITY OF BELLEVILLE COUNCIL MINUTES

FEBRUARY 8, 2016

The Regular Meeting of the Council of the Corporation of the City of Belleville was held on the above date in the City Hall Council Chamber at the hour of 5:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 2:00 p.m. to 5:00 p.m. In view of this, City Council met very briefly in open session at 2:00 p.m. to consider approval of the following resolution.

Moved by Councillor Denyes Seconded by Councillor Graham

THAT City Council enter into In Camera session to consider the following items, pursuant to Section 239 of the Municipal Act.

- In Camera Report No. ENG-2016-01 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. DEDS-2016-01 regarding labour relations or employee negotiations (Pursuant to Section 239(2)(d) of the Municipal Act)
- In Camera Report No. DRCCS-2016-02 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. DRCCS-2016-04 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- Review of the Regular In Camera Minutes of January 25, 2015.

1. CALL TO ORDER

1.1. **ATTENDANCE**

PRESENT His Worship Mayor Christopher

Councillor Boyce Councillor McCaw
Councillor Carr Councillor Miller
Councillor Denyes Councillor Panciuk
Councillor Graham Councillor Thompson

(Christine Stewart, Deputy City Clerk)

2. MOMENT OF REFLECTION

2.1 Christine Stewart, Deputy City Clerk, opened this session of Council with a moment of reflection.

Moved by Councillor Panciuk Seconded by Councillor Miller

THAT the agenda be amended as follows:

THAT the deputation of Rev. David Mundy be added to today's agenda as Item 6.4

Members of Council spoke on this resolution and a Recorded Vote was requested.

YEAS: Councillor Boyce NAYS: Councillor Denyes

Councillor Carr Councillor Graham Councillor McCaw Councillor Miller Councillor Panciuk Councillor Thompson

His Worship Mayor Christopher

YEAS: In total number of (8) eight NAYS: In total number of (1) one

The resolution was - CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF _____

There were no disclosures of pecuniary interest brought forward at this time.

4. **PUBLIC MEETINGS**

None.

5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Panciuk Seconded by Councillor Miller

THAT the Minutes of the Regular Council Meeting of January 25, 2016 and the Regular In Camera Meeting of January 25, 2016 be approved.

- CARRIED -

6. **DEPUTATIONS**

6.1 Matt Courneyea, Firefighter, took an oath and was presented with his badge following completion of probation

Moved by Councillor Miller Seconded by Councillor Carr

THAT the Mayor's presentation to Matt Courneyea, Firefighter, of his badge following completion of his probation be received.

- CARRIED -

6.2 Trevor Pross, CEO of Belleville Public Library made a deputation to Council Correspondence 7.3 refers

Moved by Councillor Thompson Seconded by Councillor Graham

THAT the deputation of Trevor Pross, CEO of Belleville Public Library introducing new library cards being released in February, be received and referred to Correspondence Item 7.3.

- CARRIED -

6.3 Neil Howie of Quinte Citizen's Alliance made a deputation to Council

Moved by Councillor Boyce Seconded by Councillor Miller

THAT the deputation of Neil Howie of Quinte Citizen's Alliance to formally announce the formation of and introduce the group to Council be received.

- CARRIED -

6.4 David Mundy representing Bridge Street United Church, Kente Presbytery and Bay of Quinte Conference of United Church made a deputation to Council.

Moved by Councillor Miller Seconded by Councillor Denyes

THAT the deputation of Rev. David Mundy representing Bridge Street United Church, Kente Presbytery and Bay of Quinte Conference of United Church requesting development of a plan of support for the social agencies which will be required to respond to those who experience problem gambling as a result of a casino in Belleville be received.

7. CORRESPONDENCE

7.1 Letter from VARAK Co-Chairs Chris Macdonald and Pam Smith

Moved by Councillor Denyes Seconded by Councillor Miller

THAT the January 13, 2016 letter from Chris Macdonald and Pam Smith, Co-Chairs of VARAK advising Council of 'Violence Awareness & Random Acts of Kindness Week' events March 7 to 13, 2016 be received and that permission be granted for blue bows & logo signs to be placed on Market Square and on Front, Bridge and Pinnacle Street in the downtown core.

- CARRIED -

7.2 Letter from Lyle and Cheryl Johnston 2nd Reading of By-laws refers

Moved by Councillor Graham Seconded Councillor Thompson

THAT the letter from Lyle and Cheryl Johnston objecting to the revision to a proposed amendment to Traffic By-law Number 12967 for Princeton Place, be received and referred to 2nd Reading of By-laws.

- CARRIED -

7.3 Letter from Trevor Pross, CEO, Belleville Public Library Deputation 6.2 refers

Moved by Councillor Thompson Seconded by Councillor Boyce

THAT the letter from Trevor Pross, CEO, Belleville Public Library providing information on the release of new library card designs be received.

8. COMMITTEE OF THE WHOLE

MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS

Moved by Councillor Carr Seconded by Councillor Graham

THAT Council rise and go into Committee of the Whole to hear and consider reports, passing of recommendations and resolutions with Councillor Denyes in the Chair.

- CARRIED -

8. a. REPORTS

The agenda shall include under Reports items that warrant individual attention from Council

8.a.1 AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967 SCHEDULE "Y" SPEED REGULATIONS, FRONT STREET

Moved by Councillor Boyce Seconded by Councillor Christopher

REC. NO. 46/16

THAT a by-law to approve and authorize an amendment to By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule 'Y' Speed Regulations on Front Street, as outlined in Report No. DCC-2016-02 be prepared for Council's consideration.

The following amending motion was put forward:

Moved by Councillor Miller Seconded by Councillor Carr

47/16 THAT the main motion be amended to set the speed limit at 40 km/hr on Front Street.

- FAILED -

Members of Council requested a Recorded Vote on the **original main motion**.

YEAS:Councillor Boyce NAYS: Councillor Carr
Councillor Denyes Councillor McCaw
Councillor Graham Councillor Thompson Councillor Panciuk

His Worship Mayor Christopher

YEAS: In total number of (5) five NAYS: In total number of (4) four

The resolution was - CARRIED -

8.a.2 AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967 SCHEDULE "Y" SPEED REGULATIONS

Moved by Councillor Carr Seconded by Councillor Miller

REC. NO. 48/16

THAT a by-law to approve and authorize an amendment to By-law Number 12967, being a By-law to regulate traffic within the corporate limits of the Corporation of The City of Belleville, Schedule 'Y' Speed Regulations, be prepared for first reading only for Council's consideration.

- CARRIED -

8.a.3 **PARKS CONCESSIONS**

Moved by Councillor Graham Seconded by Councillor Miller

THAT the City of Belleville allow its various tournament organizers to arrange their own licensed mobile concessions in the City's active parks, Mary-Anne Sills Park, Centennial Park, Tom Gavey Alemite Park, Riverside Park West (Upper), Zwick's Centennial Park (noncommunity event weekends) and Thurlow Park; and

THAT City staff offer one year extensions for 2016 to the current concessionaires in our passive parks, J. Russell Scott Park (East Riverside Park), West Riverside Park and South George St. Canteen.

- CARRIED -

8.a.4 CHAMBER OF COMMERCE SPECIAL EVENTS CONTRACT

Moved by Councillor Boyce Seconded by His Worship Mayor Christopher

REC. NO. 50/16

THAT a by-law to approve and authorize an agreement with the Belleville Chamber of Commerce regarding the provision of special events, be prepared for Council's consideration.

- CARRIED -

8.a.5 CHAMBER OF COMMERCE VISITOR SERVICES CONTRACT

Moved by Councillor Miller Seconded by Councillor Panciuk

51/16 THAT a by-law to approve and authorize an agreement with the Belleville Chamber of Commerce regarding the provision of visitor services, be prepared for Council's consideration.

- CARRIED -

8. b. CONSENT ITEMS

Moved by His Worship Mayor Christopher Seconded by Councillor Panciuk

52/16 THAT the following Agenda items be approved with the exception of Item 8.b.7.

8.b.1 ACCEPTANCE OF ABOVE GROUND SERVICES, HERITAGE PARK SUBDIVISION - PHASE 1, OWNER: GCL DEVELOPMENTS LTD. AND HASTINGS ENTERPRISES INC.

REC. NO. 53/16 THAT a by-law to approve and authorize the acceptance of certain above around services in Phase 1 of the Heritage Park Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.2 ACCEPTANCE OF ABOVE GROUND SERVICES, SETTLERS RIDGE SUBDIVISION - PHASE 1E, OWNER: SETTLERS RIDGE DEVELOPMENTS INC.

54/16 THAT a by-law to approve and authorize the acceptance of certain above ground services in Phase 1E of the Settlers Ridge Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.3 DEDICATION OF 0.3 METRE RESERVE, BLOCK 40 ON 21M-245, TESSA BOULEVARD, MERCEDES MEADOWS SUBDIVISION – PHASE 2

55/16 THAT a by-law to designate and dedicate Block 40 on Plan 21M-245, City of Belleville, as part of a public highway and to name same Tessa Boulevard, be prepared for Council's consideration.

- CARRIED -

8.b.4 PROPOSED DRAFT PLAN OF A COMMON ELEMENT CONDOMINIUM, PART OF LOT 31, CONCESSION 2, FORMERLY TOWNSHIP OF SIDNEY, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS - 773 & 777 BELL BOULEVARD

FILE NUMBER: 12CD-16001

OWNERS: JACK AND CHARLIE REAL ESTATE HOLDINGS

INC., SHADY RIDGE STOCK FARMS INC.
AGENT: SHADY RIDGE STOCK FARMS INC.

REC. NO. 56/2016 THAT the Belleville Planning Advisory Committee recommends the following to City Council:

"THAT approval of a Draft Plan of Common Element Condominium, as shown on APPENDIX 2 attached to the Manager of Approvals' Report No. APS-2016-7, be granted for the lands described as Part of Lot 31, Concession 2, formerly Township of Sidney, now City of Belleville and municipally known as 773-777 Bell Boulevard (File: 12CD-16001), subject to the draft plan conditions outlined in APPENDIX 3 of same."

- CARRIED -

8.b.5 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – 773 & 777 BELL BOULEVARD, CITY OF BELLEVILLE, COUNTY OF HASTINGS

FILE NUMBER: B-77-992

APPLICANT/OWNER: SHADY RIDGE STOCK FARMS INC. & JACK AND CHARLIE REAL ESTATE HOLDINGS INC.

AGENT: AL OSBORNE

57/16 THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 2076-80, as amended, for 773 & 777 Bell Boulevard, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 2076-80, as amended, be amended by modifying the provisions of the 'CH-32/MS – Highway Commercial/Special Industrial' zone to add a retail store as a permitted use and to incorporate special provisions to permit the development of the land for condominium purposes with a common elements road.

THAT a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration."

- CARRIED -

8.b.6 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 52 SOUTH FRONT STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS

FILE NUMBER: B-77-970

APPLICANT/OWNER: MANUEL PEREIRA AGENT: ALAN BRIDGE

REC. NO. 58/16

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 10245, as amended, for 52 South Front Street, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject parcels from "C6-1 – Water-Oriented Commercial" to a special "C6" zone in order to permit the construction of a two storey single detached residential dwelling.

THAT a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration.

8.b.7 MINISTRY OF THE ENVIRONMENT 2014-15 DRINKING WATER SYSTEM INSPECTION REPORT FOR THE BELLEVILLE DRINKING WATER SYSTEM

Moved by Councillor Miller Seconded by Councillor Panciuk

REC. NO. 59/16

THAT the Manager of Environmental Services Report No. MES-2016-01 regarding the Ministry of the Environment 2014-15 Drinking Water System Inspection Report for the Belleville Drinking Water System be received as information.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

Moved by Councillor Boyce Seconded by Councillor Carr

60/16 THAT the following Agenda items be received:

8.c.1 BUILDING SECTION MONTH END REPORT

Report Period: January 2016

8.c.2 LIQUOR LICENCE MUNICIPAL INFORMATION

Dragon Rolls Corporation, 265 North Front Street

8.c.3 CITY COUNCIL PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES

Planning Advisory Committee Secretary's February 9, 2016 report in connection with the Public Meeting Minutes dated January 4, 2016

8.c.4 ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF

- City Council Planning Committee Minutes dated January 4, 2016
- Planning Advisory Committee Minutes dated January 4, 2016
- Quinte Waste Solutions Board Meeting Minutes dated November 16, 2015
 - CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Boyce Seconded by Councillor Carr

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Thompson Seconded by Councillor Denyes

REC. NO. 61/16 THAT the following by-laws be read a first time:

2016-27, a by-law to approve and authorize an amendment to By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule "Y" Speed Regulations (Front Street) 1ST READING ONLY

2016-28, a by-law to approve and authorize an amendment to By-law Number 12967, being a By-law to regulate traffic within the corporate limits of the Corporation of The City of Belleville, Schedule "Y" Speed Regulations (Mitchell Road north of Airport Parkway) 1ST READING ONLY

- CARRIED -

Moved by Councillor Miller Seconded by Councillor Boyce

REC. NO. 62/16 THAT the following by-laws be read a first time:

2016-29, a by-law to approve and authorize the acceptance of certain above around services in Phase 1 of the Heritage Park Subdivision

2016-30, a by-law to approve and authorize the acceptance of certain above ground services in Phase 1E of the Settlers Ridge Subdivision

2016-31, a by-law to designate and dedicate Block 40 on Plan 21M-245, City of Belleville, as part of a public highway and to name same Tessa Boulevard

2016-32, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (773 & 777 Bell Blvd.)

2016-33, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (52 South Front Street)

2016-34, a by-law to approve and authorize the execution of a Visitor Information Services Agreement between The Corporation of the City of Belleville and the Belleville Chamber of Commerce

2016-35, a by-law to approve and authorize the execution of a Special Events Agreement between The Corporation of the City of Belleville and the Belleville Chamber of Commerce

- CARRIED -

9. b. SECOND READING OF BY-LAWS AND DISCUSSION

Moved by Councillor Miller Seconded by Councillor Graham

REC. NO. 63/16 THAT the following by-laws be read a second time:

2015-181, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Parking Restrictions on Princeton Place)

2016-29	2016-33
2016-30	2016-34
2016-31	2016-35
2016-32	

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Miller Seconded by Councillor Thompson

REC. NO. 64/16 THAT the following by-laws be read a third time:

2015-181, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Parking Restrictions on Princeton Place)

2015-217, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Schedule "Z" Heavy Traffic Restriction-Ritz Road)

2016-29, a by-law to approve and authorize the acceptance of certain above around services in Phase 1 of the Heritage Park Subdivision

2016-30, a by-law to approve and authorize the acceptance of certain above ground services in Phase 1E of the Settlers Ridge Subdivision

2016-31, a by-law to designate and dedicate Block 40 on Plan 21M-245, City of Belleville, as part of a public highway and to name same Tessa Boulevard

2016-32, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (773 & 777 Bell Blvd.)

2016-33, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (52 South Front Street)

2016-34, a by-law to approve and authorize the execution of a Visitor Information Services Agreement between The Corporation of the City of Belleville and the Belleville Chamber of Commerce

2016-35, a by-law to approve and authorize the execution of a Special Events Agreement between The Corporation of the City of Belleville and the Belleville Chamber of Commerce

10. <u>NEW BUSINESS</u>

Moved by Councillor Panciuk Seconded by Councillor Denyes

REC. NO. 65/16

THAT in order to assist The Empire Theatre in its application for a Special Occasion Permit for the sale and/or service of alcoholic beverages in connection with Quinte Craft Beer & Wine Festival being held at the Empire Square on March 12, 2016 Council declares the event a "Public Event" of municipal significance for the City of Belleville.

- CARRIED -

11. MOTIONS

11.1 CASINO CONTRIBUTION RESERVE ACCOUNTS

Moved by Councillor Carr Seconded by Councillor McCaw

THAT Casino Contribution Reserve Accounts be created and named as follows:

Casino Contribution – Infrastructure Reserve Casino Contribution – Economic Development Reserve

Casino Contribution – Social Programs Reserve Casino Contribution – Contingency Reserve

and,

That the Annual Contribution Quarterly Payments, as part of the OLG Municipality Contribution Agreement, be allocated as follows:

85% to Casino Contribution – Infrastructure Reserve for capital projects, with the exception of water/waste water projects which are userfunded services.

5% to Casino Contribution – Economic Development Reserve for projects and initiatives to stimulate investment in the local economy.

5% to Casino Contribution – Social Programs Reserve to assist non-profit agencies in providing to the most vulnerable of our community

5% to Casino Contribution – Contingency Reserve to cover unanticipated costs associated with the presence of the Casino operation.

Members of Council spoke on this resolution and a Recorded Vote was requested.

YEAS:Councillor Carr Councillor McCaw Councillor Panciuk NAYS: Councillor Boyce
Councillor Denyes
Councillor Graham
Councillor Miller

Councillor Thompson

His Worship Mayor Christopher

YEAS: In total number of (3) three NAYS: In total number of (6) six

The resolution - FAILED -

11.2 **COUNCIL MEETING START TIME**

Moved by Councillor Miller Seconded by Councillor Graham

REC. NO. 67/16 THAT the start time of the Regular Council meetings (Open) be moved to 4:00 pm.

Councillor Carr objected to the motion. Councillor Panciuk rose on a Point of Order and was recognized by the Chair. Councillor Panciuk stated this motion should be treated as a Motion to Reconsider and looked to the Chair for a ruling. His Worship Mayor Christopher called for a recess to allow for an opportunity to review the reconsideration provisions in the Procedural By-law. The meeting was then called to order and the Chair ruled that the motion was **not** a reconsideration motion.

Councillor Carr raised a Point of Order and appealed the ruling of the Chair. As a result, Council decided the question and members of Council were asked to vote on **sustaining the ruling of the Chair by Recorded Vote.**

Moved by Councillor Carr Seconded by Councillor Panciuk

REC. NO. 68/16 THAT the decision of the Chair be sustained.

YEAS: Councillor Denyes NAYS: Councillor Boyce

Councillor Graham Councillor Carr
Councillor Miller Councillor McCaw
Councillor Thompson Councillor Panciuk

His Worship Mayor Christopher

YEAS: In total number of (5) five NAYS: In total number of (4) four

The resolution - CARRIED -

The vote to sustain the ruling of the Chair, being that the motion before Council is not a Motion of Reconsideration, carried and the ruling of the Chair was sustained.

Members of Council spoke on the **original** motion and a Recorded Vote was requested.

YEAS:Councillor Denyes
Councillor Graham
Councillor Miller
Councillor Thompson

NAYS: Councillor Boyce
Councillor Carr
Councillor McCaw
Councillor Panciuk

His Worship Mayor Christopher

YEAS: In total number of (5) five NAYS: In total number of (4) four

The original main motion before Council - CARRIED -

12. NOTICE OF MOTIONS

There were no items brought forward under this section on today's Agenda.

13. ANNOUNCEMENTS

Councillor Panciuk spoke of the passing of David MacKay, founder of MacKay Insurance. He extended his sympathies to the entire MacKay family. Councillor Panciuk also congratulated the Belleville Chamber of Commerce on the success of their annual Presidents Gala. As well he mentioned Valentine's Day coming up on Sunday, February 14.

Councillor Thompson mentioned the recent "Sleep Out So Others Can Sleep In" fundraiser where approximately 200 participants raised approximately \$15,000.

His Worship Mayor Christopher proclaimed the week of March 7-13, 2016 as the 20^{th} annual "Violence Awareness & Random Acts of Kindness Week" in the City of Belleville. Mayor Christopher also made a proclamation for "Heritage Week" in the City of Belleville February 15-21, 2016. The annual Ontario Heritage Week Open House will be held in the Council Chamber on Thursday, February 18, 2016. Doors will open at 6:00 p.m. with presentations at 6:30 p.m.

Mayor Christopher will be participating in the "Coldest Night of the Year" event on February 20, 2016 hosted by Nightlight Canada to help raise awareness/money for the hungry and homeless in our community.

His Worship Mayor Christopher reported attending the following events since the last Council Meeting:

- "Feed the Meter" event which raised \$11,300.00
- Norampac plant tour
- Probus Club talk
- Build Belleville Prince Edward County Council presentation in support of bay Bridge Road project
- Loyalist College Civic Engineer class talk
- Eastern Ontario Swim Championships opening ceremonies
- Habitat for Humanity donor appreciation event
- OSUM Board Meeting

14. CONFIRMATORY BY-LAW

Moved by Councillor Thompson Seconded by Councillor Denyes

REC. NO. 69/16

THAT By-law Number 2016-36, a by-law to confirm the proceedings of Council at its meeting held on February 8, 2016, be read a first, second and third time and finally passed this 8th day of February, 2016.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Thompson Seconded by Councillor Denyes

THAT this session of Council be adjourned.

MAYOR	CLERK