

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

APRIL 9, 2018

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 4:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 2:30 p.m. to 4:00 p.m. In view of this, City Council met very briefly in open session at 2:30 p.m. to consider approval of the following resolution.

Moved by Councillor Miller
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. DCS-2018-07 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. DCS-2018-08 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. RPS-2018-01 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. DRCCS-2018-07 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- Review of the Regular In Camera Meeting Minutes of March 26.

- CARRIED -

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

(Matt MacDonald, City Clerk)

2. MOMENT OF REFLECTION

2.1 City Clerk Matt MacDonald opened this session of Council with a Moment of Reflection. A Moment of Silence was observed in remembrance of those affected by the tragedy involving the Humboldt Broncos hockey team.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Thompson declared an interest in Deputations Item 6.3, Correspondence Item 7.1 and Reports Item 8.a.2 all regarding proposed amendments to the zoning by-law for the property at 250 Sidney Street (medical marihuana production facility) due to his involvement with the Canadian Mental Health Association. He will therefore be refraining from discussion and voting on this matter in view of the possibility that a Pecuniary Interest may be involved.

It is noted that Councillor Miller declared a Pecuniary Interest with respect to In Camera Report DCS-2018-07 regarding the potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act).

4. PUBLIC MEETINGS

None.

5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Denyes
Seconded by Councillor Miller

THAT Minutes of the Regular Council Meeting of March 26, 2018, and Regular In Camera Meeting Minutes of March 26, 2018 be approved.

- CARRIED -

6. DEPUTATIONS

- 6.1 Representatives of Veridian Corporation and Whitby Hydro Energy Corporation made a deputation to Council

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the deputation from representative of Veridian Corporation and Whitby Hydro Energy Corporation regarding a proposed merger, be received.

- CARRIED -

- 6.2 David Fell representing Eastern Ontario Regional Network (EORN) made a deputation to Council

Moved by Councillor Thompson
Seconded by Councillor Boyce

THAT the deputation of David Fell representing Eastern Ontario Regional Network (EORN) be received and referred to Budget deliberations.

- CARRIED -

Councillor Thompson left the Council Chamber due to his previously declared pecuniary interest.

- 6.3 Greg Parker of Baldwin Law Professional Corp. made a deputation to Council
Reports Item 8.a.2 refers

Moved by Councillor Denyes
Seconded by Councillor Carr

THAT the deputation of Greg Parker of Baldwin Law Professional Corp., regarding the rezoning application of 2589989 Ontario Inc. for the property known as 250 Sidney Street be received and referred to Reports Item 8.a.2.

- CARRIED -

7. CORRESPONDENCE

- 7.1 March 15, 2018 letter from Greg Parker of Baldwin Law Professional Corp.
Reports Item 8.a.2 refers

Moved by Councillor Denyes
Seconded by Councillor Boyce

THAT the March 15, 2018 letter from Greg Parker of Baldwin Law Professional Corp. regarding the rezoning application for 250 Sidney Street be received and referred to Reports Item 8.a.2.

- CARRIED -

Councillor Thompson returned to the Council Chamber.

- 7.2 March 15, 2018 letter from Community Resource Centre Quinte

Moved by Councillor Miller
Seconded by Councillor Boyce

THAT the March 15, 2018 letter from Community Resource Centre Quinte be received and referred to New Business.

- CARRIED -

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 Denyes

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

- CARRIED -

8. a. REPORTS

8.a.1 AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967 SCHEDULE "B" PARKING RESTRICTIONS ON-STREET PARKING IN THE VICINITY OF BELLEVILLE GENERAL HOSPITAL

Moved by Councillor Panciuk
Seconded by Councillor Boyce

REC. NO. 117/18 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, in the vicinity of Belleville General Hospital as outlined in Report No. DCC-2018-05 be prepared for Council's consideration.

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

YEAS: Councillor Boyce
Councillor McCaw
Councillor Miller
Councillor Panciuk
Councillor Thompson
His Worship Mayor Christopher
NAYS: Councillor Carr
Councillor Denyes
Councillor Graham

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

The resolution was - CARRIED -

Councillor Thompson left the Council Chamber due to his previously declared pecuniary interest.

8.a.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 250 SIDNEY STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1044
APPLICANT/OWNER: 2589989 ONTARIO INC.
AGENT: BALDWIN LAW PROFESSIONAL CORP.

The following motion was before Council:

Moved by Councillor Graham
Seconded by His Worship Mayor Christopher

REC. NO. 118/18 THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend Zoning By-Law Number 10245, as amended, for the property described as 250 Sidney Street, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 10245, as amended, be amended by modifying the provisions of the 'M1-11 – Restricted Industrial' zone to add a medical marihuana production facility as a permitted use. In addition, an 'h' – Holding symbol is recommended to be added to the site requiring the issuance of a license from Health Canada before the use is permitted to operate; and

THAT no growing or cultivation of marihuana or cannabis be permitted; and

THAT signage does not make reference to marihuana or cannabis.

Council discussed the matter.

The following **amending** motion was then before Council:

Moved by Councillor Denyes
Seconded by Councillor Carr

REC. NO. 119/18 **THAT, notwithstanding the production facility definition within Zoning By-law 10245, the facility at 250 Sidney Street is to be used for Research and Development purposes only.**

Members of Council further discussed this **amending motion** and a Recorded Vote was requested.

YEAS: Councillor Boyce	NAYS: Councillor Graham
Councillor Carr	Councillor McCaw
Councillor Denyes	
Councillor Miller	
Councillor Panciuk	
His Worship Mayor Christopher	

YEAS: In total number of (6) six

NAYS: In total number of (2) two

The resolution was - CARRIED -

Further discussion ensued and the following **tabling** motion was put forward:

Moved by Councillor Miller
Seconded by Councillor McCaw

120/18 THAT the resolution regarding a proposed amendment to Zoning By-Law Number 10245, as amended – 250 Sidney Street, City of Belleville, County of Hastings, be **TABLED**; and,

THAT staff report back to Council for the April 23, 2018 Regular Council Meeting.

- FAILED -

A Recorded Vote was then requested on the main motion **as amended**.

YEAS: Councillor Carr	NAYS: Councillor Boyce
Councillor Denyes	Councillor Graham
Councillor Panciuk	Councillor McCaw
His Worship Mayor Christopher	Councillor Miller

YEAS: In total number of (4) four

NAYS: In total number of (4) four

The resolution **- FAILED -**

Councillor Thompson returned to the Council Chamber. Councillor Graham briefly left the Council Chamber and Councillor Denyes left for the remainder of the Council Meeting.

8.a.3 **INTERSECTION SIGNALIZATION – WALLBRIDGE-LOYALIST ROAD AND HAMILTON ROAD**

Moved by His Worship Mayor Christopher
Seconded by Councillor Thompson

REC. NO. 121/18 THAT pursuant to the General Manager of Transportation and Operations Services' Report No. GMT&OS 2018-01 that Council approve the installation of traffic signals at the intersection of Wallbridge-Loyalist Road and Hamilton Road; and

THAT Section 1, 2, and 7 of the City's Boundary Road Agreement with the Corporation of the City of Quinte West pertaining to Wallbridge-Loyalist Road and Hamilton Road intersection, By-law Number 2003-12, be waived during the construction period; and

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 "T" Traffic Control Systems - Signal Lights be prepared for Council's consideration.

- CARRIED -

8.a.4 **PARTIAL ROOF REPLACEMENT AT 93 DUNDAS STREET EAST AND 516 HARMONY ROAD AND 74 SOUTH FOSTER AVENUE**

Moved by His Worship Mayor Christopher
Seconded by Councillor Boyce

REC. NO. 122/18 THAT the tender submission from Dafoe Roofing Ltd. be accepted for the roofing at 93 Dundas Street East in the amount of \$82,688.00 plus \$10,749.44 HST for a total amount of \$93,437.44 and 74 South Foster Avenue in the amount of \$35,832.00 plus \$4,658.16 HST for a total amount of \$40,490.16 for a combined total amount of \$133,927.60 this being the lowest and most qualified tender received and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal; and

THAT the tender submission from ICI Roofing Limited be accepted for the roofing at 516 Harmony Road in the amount of \$35,000.00 plus \$4,550.00 HST for a total amount of \$39,550.00 this being the most qualified tender received and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.

- CARRIED -

8.a.5 **CONTRACT NO. EOS-2018-06 RE ASPHALT RESURFACING – VARIOUS ROADS**

Moved by Councillor Miller
Seconded by Councillor Boyce

123/18 THAT the tender submission from Fitzgibbon Construction Ltd. be accepted for Contract No. TOS-2018-06 re Asphalt Resurfacing – Various Roads in the amount of \$1,164,281.28 plus \$151,356.57 HST, for a total amount of \$1,315,637.85, this being the lowest cost tender

received, and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal.

- CARRIED -

8. b. **CONSENT ITEMS**

Moved by Councillor Carr
Seconded by Councillor Thompson

REC. NO. 124/18 THAT the following Agenda items be approved with the exception of Item 8.b.3.

- CARRIED -

8.b.1 **AMENDING AGREEMENT - SOURCE WATER IMPLEMENTATION FUNDING**

125/18 THAT a by-law to approve and authorize the execution of an amendment to the Source Water Protection Implementation Fund Agreement, dated March 29, 2018 between the Corporation of the City of Belleville and Her Majesty the Queen in right of Ontario, be prepared for Council's consideration."

- CARRIED -

8.b.2 **SUPPLY AND INSTALL A BUILDING STRUCTURE WITH SITE PREPARATION AT 1320A MUDCAT ROAD**

126/18 THAT the Request for Proposal submission from Forest Mills Management Inc. be accepted for the supply and install of a Building Structure with Site Preparation in the amount of \$147,774.21 plus \$19,210.65 HST for a total amount of \$166,984.86, this being the only qualified proposal received and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporation Seal."

- CARRIED -

8.b.3 CITY OF BELLEVILLE GRANT COMMITTEE

Moved by Councillor Panciuk
Seconded by Councillor Carr

REC. NO. 127/18 THAT Council approve the recommendations of the Grant Committee for those applications outlined in the Director of Finance/Treasurer's Report No. DF-2018-09, City of Belleville Grant Committee.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

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

8. d. RISE AND REPORT

Moved by Councillor Carr
Seconded by Councillor Miller

THAT Council rise and report.

- CARRIED -

9. BY-LAWS**9. a. FIRST READING OF BY-LAWS**

Moved by Councillor Boyce
Seconded by Councillor Miller

128/18 THAT the following by-laws be read a first time:

2018-49, a by-law amending By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule "B" Parking Restrictions On-Street Parking in the Vicinity of Belleville General Hospital

2018-50, a by-law to approve and authorize the execution of an amendment to the Source Water Protection Implementation Fund Agreement, dated March 29, 2018 between the Corporation of the City of Belleville and Her Majesty the Queen in right of Ontario

- CARRIED -

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

Moved by Councillor Thompson
Seconded by Councillor Boyce

REC. NO. 129/18 THAT the following by-laws be read a second time:

2018-49
2018-50

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Boyce
Seconded by Councillor Miller

130/18 THAT the following by-laws be read a third time:

2018-49, a by-law amending By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule "B" Parking Restrictions On-Street Parking in the Vicinity of Belleville General Hospital

2018-50, a by-law to approve and authorize the execution of an amendment to the Source Water Protection Implementation Fund Agreement, dated March 29, 2018 between the Corporation of the City of Belleville and Her Majesty the Queen in right of Ontario

- CARRIED -

10. NEW BUSINESS

Moved by His Worship Mayor Christopher
Seconded by Councillor Boyce

REC. NO. 131/18 THAT By-law Number 2018-52, being a by-law to approve and authorize the execution of a Surrender of Lease Agreement between the Corporation of the City of Belleville and Veridian Corporation, dated the 9th day of April, 2018 be read a first, second and third time and finally passed this 9th day of April, 2018.

- CARRIED -

Moved by His Worship Mayor Christopher
Seconded by Councillor Miller

132/18 THAT By-law Number 2018-53, being a by-law to approve and authorize the execution of a Lease Agreement between the Corporation of the City of Belleville and Veridian Connections Inc., dated the 9th day of April, 2018 be read a first, second and third time and finally passed this 9th day of April, 2018.

- CARRIED -

Councillor Carr spoke about the recent Ward 2 meeting with approximately 75 residents in attendance as well as Councillors Carr and Denyes and His Worship Mayor Christopher. Councillor Carr and Councillor Denyes have hosted these meetings bi-annually since 2015. This meeting in particular reviewed the upcoming budget. Another item Councillor Carr wished to discuss was concern with a pedestrian crossing on Maitland Drive at Hampton Ridge. It has been observed that cars are not stopping for pedestrians. Councillor Carr spoke about potential fines and penalties regarding points under recent legislation.

Councillor Boyce requested residents vote for the Glanmore National Historical Site museum staff, defending champs in this year's Museum Dance-Off contest.

Councillor Panciuk spoke about the Glanmore Takeover event he attended with Councillor Boyce on April 7th. Also, he requested that By-law Number 2017-173, a by-law to establish an accountability framework for The Corporation of the City of Belleville (and to appoint an integrity commissioner), be brought back to Council for consideration and 2nd & 3rd readings at the April 23, 2018 Council Meeting.

Councillor McCaw inquired as to when the Audit Committee will discuss the letter from Mr. Sandison. The Director of Finance/Treasurer responded the item will be discussed at the Audit Committee meeting scheduled for June.

Councillor Miller spoke regarding the Community Resource Centre Quinte correspondence referred from earlier in the meeting. The non-profit group has identified the loss of a primary tenant and revenue. They have also identified inaccessibility of lower level and basement. The concerns will be referred to staff who will meet with the Community Resource Centre Quinte and report back to Council.

11. MOTIONS

Moved by Councillor Carr
Seconded by Councillor McCaw

REC. NO. 133/18 THAT staff prepare a report and a by-law to amend Property Standard's by-law 2012-79 section 3.2.5. pertaining to unoccupied buildings for council's consideration; and,

That this section of the by-law be amended to permit the boarding up of any broken windows and doors as a temporary measure and once an order has been issued, the property owner will have 30 days to comply and replace the temporary plywood with proper windows and doors. Failure to abide by the order will result in set fines.

- CARRIED -

12. NOTICE OF MOTIONS**13. ANNOUNCEMENTS**

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

- Meals on Wheels event
- Parkdale School art event
- Loyalist College radio station 91.X awards dinner
- Daffodil Month kick off
- EOMC/EORN Mayors Meeting hosted in Belleville
- Thurlow Budget Talks
- Quinte Regional Science & Awards Fair

The Director of Fire and Emergency Services, Mark MacDonald, spoke about the recent burn ban. He also spoke about Public Information Sessions held last year which were not very well attended. However through the use of an on-line survey tool, Survey Monkey, the Fire Department has received over 800 responses, 500 in the first 24 hours of putting the survey up on the City's web-site.

Councillor Thompson announced that this Thursday, April 12 will be the 4th annual celebration of the Belleville Inclusion Committee. The event will be held at the Bridge Street United Church from 5:30p.m. to 8:30 p.m. There will be a guest speaker, the Honourable Sue O'Sullivan, former Federal Ombudsman for Victims of Crime. She is also the sister of Deputy Police Chief, Mike Callaghan.

The General Manager of Transportation and Operations, Joe Reid, advised of pipe repair to be taking place on Pinnacle and St. Paul Streets which will result in an approximate 5 week disruption.

14. CONFIRMATORY BY-LAW

Moved by Councillor Boyce
Seconded by Councillor Thompson

REC. NO. 134/18 THAT By-law Number 2018-51, a by-law to confirm the proceedings of Council at its meeting held on April 9, 2018, be read a first, second and third time and finally passed this 9th day of April, 2018.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Carr
Seconded by Councillor Graham

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK