

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

APRIL 11, 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 4:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 2:00 p.m. to 4:00 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 Miller

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-2016-10 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. DCS-2016-11 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. RPS-2016-01 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- Review of the Regular In Camera Minutes of March 29, 2016.
- In Camera Report No. DRCCS-2016 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)

- 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

Matt MacDonald, City Clerk, opened this session of Council with a moment of reflection

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor McCaw declared an interest in Consent Item 8.b.4 (Agreements to Repay Recoverable Costs – Upgrades during Phase 1 Construction of the City Centre Revitalization & Redevelopment Project) as she is employed by M & R Rashotte Holdings. She will therefore be refraining from discussion and voting on this matter in view of the possibility that a Pecuniary Interest may be involved.

Councillor Carr declared an interest in a portion referred to “New Business” from Deputations Item 6.2 as he has a family member involved in the Quinte Children’s Theatre. He therefore refrained from discussion and voting on the matter in view of the possibility that a Pecuniary Interest may be involved.

4. PUBLIC MEETINGS

None.

5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Miller
Seconded by Councillor Graham

THAT the Minutes of the Regular Council Meeting of March 29, 2016 and the Regular In Camera Meeting of March 29, 2016 be approved.

- CARRIED -

6. DEPUTATIONS

- 6.1 Connie Carson made a presentation to Council regarding the Walk a Mile in Her Shoes Event
Correspondence Item 7.1 refers

Moved by Councillor Miller
Seconded by Councillor Boyce

THAT the deputation to Council by Connie Carson regarding the 6th Annual 'Walk A Mile In Her Shoes Event' being held May 7th, 2016 to raise funds and awareness against violence towards women, be received.

- CARRIED -

- 6.2 Ted Howe, Quinte Children's Theatre made a deputation to Council

Moved by Councillor Boyce
Seconded by Councillor McCaw

THAT the deputation of Ted Howe of Quinte Children's Theatre regarding Kidstock taking place May 11 to 15, 2016, be received **and referred to "New Business"**.

Councillor Carr declared an interest in the portion of this deputation referred to "New Business".

7. CORRESPONDENCE

- 7.1 Letter regarding the Sixth Annual Walk A Mile In Her Shoes Event Deputations Item 6.1 refers

Moved by Councillor Thompson
Seconded by Councillor Graham

THAT the January 19, 2016 letter from Mark Rashotte regarding the Sixth Annual Walk A Mile In Her Shoes Event being held May 7, 2016, be received.

- CARRIED -

- 7.2 Letter from Lindy Powell on behalf of a coalition of local groups including Quinte Biosphere Defenders and Amnesty International Belleville Group 111

Moved by Councillor Denyes
Seconded by Councillor Boyce

THAT the March 18, 2016 letter from Lindy Powell on behalf of a coalition of local groups including Quinte Biosphere Defenders and Amnesty International Belleville Group 111 regarding their march/parade on Saturday, May 14, 2016 at 1:00 p.m. from the Belleville Public Library to South George Street Park, be received and referred to staff and that Council approve the use of City streets for this event in consultation with staff.

- CARRIED -

- 7.3 Letter from Rhonda Carrol presenting Application for Requests for the Extension of Municipal Water and Wastewater Service for Holmes Road

Moved by Councillor Miller
Seconded by Councillor Graham

THAT the letter from Rhonda Carrol presenting Application for Requests for the Extension of Municipal Water and Wastewater Service for Holmes Road, be received and referred to staff.

- 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 Boyce
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 REPORT NO. BB-ENG-2016-02 – PARKING PLAN FOR PHASE 2 CONSTRUCTION OF THE CITY CENTRE REVITALIZATION & REDEVELOPMENT PROJECT**

Moved by Councillor Thompson
Seconded by Councillor Miller

REC. NO. 189/16 THAT pursuant to Report No. BB-ENG-2016-02 Parking Plan for Phase 2 Construction of the City Centre Revitalization & Redevelopment Project, that a two (2) hour free parking provision be implemented in the Riverside Parking Lot, and that 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 J-3, Municipal Parking Lot Rates), be prepared for Council's consideration.

Members of Council spoke on this resolution and the following **amending motion** was before Council.

Moved by Councillor Panciuk
Seconded by Councillor Boyce

REC. NO. 190/16 THAT a **six (6) hour** free parking provision be implemented in the Riverside Parking Lot **with loss of revenue to be funded by the Parking Reserve Fund**, and that 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 J-3, Municipal Parking Lot Rates), 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 Panciuk

NAYS: Councillor Carr
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 -**

The **original main motion -CARRIED -**

8.a.2 **CONTRACT NO. EOS-2016-04 RE ROAD REHABILITATION PROJECT-VARIOUS ROADS**

Moved by Councillor Denyes
Seconded by Councillor Carr

191/16 THAT the tender submission from Greenwood Paving (Pembroke) Ltd. be accepted for Contract No. EOS-2016-04 re Road Rehabilitation Project – Various Roads in the amount of \$1,056,424.00, plus \$137,335.12 HST for a total amount of \$1,193,759.12 this being the lowest 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.3 **FAMILY PHYSICIAN RECRUITMENT PROGRAM – DR. CHAD STEWART**

Moved by Councillor Panciuk
Seconded by Councillor Graham

REC. NO. 192/16 THAT a by-law to approve and authorize an agreement with Dr. Chad Stewart to provide medical services as a family physician in the City of Belleville under the Family Physician Recruitment Program, be prepared for Council's consideration.

- CARRIED -

8. b. **CONSENT ITEMS**

Moved by Councillor Graham
Seconded by Councillor Carr

193/16 THAT the following Agenda items be approved with the exception of Items 8.b.5, 8.b.6 and 8.b.8.

- CARRIED -

8.b.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – HIGHWAY 62: PARTS 1 & 2, PLAN 21R-380, SAVE AND EXCEPT PARTS 1 & 2, PLAN HT 52785, FORMER TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-996
APPLICANT/OWNER: OTTER CREEK DEVELOPMENTS LTD.
AGENT: GEERTSMA CONSTRUCTION LTD.

194/16 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 3014, as amended, for Parts 1 & 2, Plan 21R-380, Save and Except Parts 1 & 2, Plan HT 52785, former Township of Thurlow, now in the City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands from "D – Development" to "C1 – Highway Commercial" to permit proposed retail uses.

THAT a by-law amending Zoning By-law Number 3014 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.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 450 SIDNEY STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-998
APPLICANT: PHIL SPRY
OWNER: FRANK MANCUSO
AGENT: VAN MEER LTD.

REC. NO. 195/16 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 identified as 450 Sidney Street, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended to rezone the subject lands from "NH – Nursing Home" to "R6 – Residential Sixth Density" with special provisions that would only permit one (1) thirty (30) unit apartment building subject to a rear yard setback of 55 metres; and,

THAT the request for three (3) additional apartment buildings will require a separate rezoning application.

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.

- CARRIED -

8.b.3 **REQUEST TO RENEW PART LOT CONTROL EXEMPTION
HERITAGE PARK SUBDIVISION – PHASE 1, BLOCKS 31 AND
32, PLAN 21M-267 (MOUNTAIN ASH DRIVE) OWNER: GCL
DEVELOPMENTS LTD./HASTINGS ENTERPRISES INC.**

REC. NO. 196/16 THAT a by-law to exempt Blocks 31 and 32, Registered Plan 21M-267, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act for a further 12 months, be prepared for Council's consideration, but that the By-law and related documentation not be signed until such time as the Manager of Approvals advises that the Owners have satisfied all City requirements.

- CARRIED -

8.b.4 **AGREEMENTS TO REPAY RECOVERABLE COSTS –
UPGRADES DURING PHASE 1 CONSTRUCTION OF THE
CITY CENTRE REVITALIZATION & REDEVELOPMENT
PROJECT**

197/16 THAT by-laws to approve and authorize the execution of Agreements between The Corporation of the City of Belleville and the property owners of;
299 Front Street; and
301 ½ - 303 Front Street; and
350 Front Street
be prepared for Council's consideration; and

THAT By-law Number 2015-218, a by-law to approve and authorize the execution of an Agreement between M&R Rashotte Holdings Ltd. and The Corporation of the City of Belleville, be amended to reflect changes to Schedules B and C of the Agreement; and

THAT By-law Number 2015-219, a by-law to approve and authorize the execution of an Agreement between Empire Alliance Financial Group and The Corporation of the City of Belleville, be amended to reflect changes to Schedules B and C of the Agreement; and

THAT By-law Number 2015-220, a by-law to approve and authorize the execution of an Agreement between Maury Flunder and The Corporation of the City of Belleville, be amended to reflect changes to Schedules B and C of the Agreement.

- CARRIED -

8.b.5 **CONTRACT NO. EOS-2016-07 RE URBAN RESURFACING
SLURRY SEAL PROGRAM**

Moved by Councillor Miller
Seconded by Councillor Thompson

REC. NO. 198/16 THAT the tender submission from Miller Paving Limited be accepted for Contract No. EOS-2016-07 re Urban Resurfacing Slurry Seal in the amount of \$167,560.00, plus \$21,782.80 HST for a total amount of \$189,342.80 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 -

A motion to remove Country Charm Drive and Wind Whisper Drive from the tender was retracted.

8.b.6 **PURCHASE OF A DEMO 2015 COMPACT SWEEPER
VACUUM COLLECTION VEHICLE**

Moved by Councillor Miller
Seconded by Councillor Panciuk

199/16 THAT the request for proposal submission from Joe Johnson Equipment Inc. Option 1 be accepted for supply and delivery of a Demo 2015 Compact Sweeper Vacuum Collection Vehicle in the corrected amount of \$95,645.00, plus \$12,433.85 HST for a total amount of \$108,078.85 this being the lowest cost 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 Corporate Seal.

- CARRIED -

8.b.7 **1500MM SANITARY SEWER REPAIR – MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE – PERMIT TO TAKE WATER**

REC. NO. 200/16 THAT the Mayor and the City Clerk be authorized to sign the Ministry of Environment and Climate Change Application for Permit to Take Water for the 1500mm Sanitary Sewer Repair, Pinnacle Street South at South Front Street, on behalf of The Corporation of the City of Belleville.

- CARRIED -

8.b.8 **BELLEVILLE TRANSIT ROUTE RESTRUCTURE**

Moved by His Worship Mayor Christopher
Seconded by Councillor Boyce

201/16 THAT the Manager/Planner of Transit Services' Report No. M/PTS-2016-01 re Belleville Transit Route Restructure, be **TABLED** to the April 25 Council Meeting.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

Moved by Councillor Denyes
Seconded by Councillor Carr

202/16 THAT the following Agenda items be received.

8.c.1 **BUILDING SECTION MONTH END REPORT**

Report Period: March 2016

8.c.2 **CITY COUNCIL PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES**

Planning Advisory Committee Secretary's April 5, 2016 report in connection with the Public Meeting Minutes dated March 7, 2016

8.c.3 **SPECIES AT RISK PUBLIC REGISTRY
- TURTLES**

Notification of Posting of Turtle Recovery Documents on the Species at Risk Public Registry

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 March 7, 2016
- Planning Advisory Committee Minutes dated March 7, 2016
- Quinte Waste Solutions, Board Meeting Minutes of January 19, 2016

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Panciuk
Seconded by Councillor Graham

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Denyes
Seconded by Councillor Graham

REC. NO. 203/16 THAT the following by-laws be read a first time:

2016-56, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Hwy. #62)

2016-57, 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 (450 Sidney St.)

2016-58, a by-law to exempt Blocks 31 and 32, Registered Plan 21M-267, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act for a further 12 months (Mountain Ash Drive)

2016-59, a by-law to approve and authorize an agreement with Dr. Chad Stewart to provide medical services as a family physician in the City of Belleville under the Family Physician Recruitment Program

- CARRIED -

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

Moved by Councillor Panciuk
Seconded by Councillor Thompson

REC. NO. 204/16 THAT the following by-laws be read a second time:

2016-56
2016-57
2016-58
2016-59

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Miller
Seconded by Councillor Carr

205/16 THAT the following by-laws be read a third time:

2016-56, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Hwy. #62)

2016-57, 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 (450 Sidney St.)

2016-58, a by-law to exempt Blocks 31 and 32, Registered Plan 21M-267, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act for a further 12 months (Mountain Ash Drive)

2016-59, a by-law to approve and authorize an agreement with Dr. Chad Stewart to provide medical services as a family physician in the City of Belleville under the Family Physician Recruitment Program

- CARRIED -

10. NEW BUSINESS

Councillor Carr left the Council Chamber as he declared an interest in the portion of Deputations Item 6.2 referred to "New Business" as he has a family member involved in the Quinte Children's Theatre.

Moved by Councillor Denyes
Seconded by Councillor Boyce

REC. NO. 206/16 THAT the Quinte Children's Theatre request to have fees for sign permits waived and fees for the use of the marquees (e-signs) at The Quinte Sports and Wellness Centre and Zwick's Island waived be referred to the Grant Committee meeting on April 25, 2016.

- CARRIED -

Councillor Carr returned to the Council Chamber.

Councillor Panciuk sought information regarding the new police facility and any outstanding information remaining. Chief Administrative Officer, Rick Kester responded he intends to have a report to Council for the April 25 meeting. The architect is dealing with members of the Belleville Police Service on size and needs requirements for the new facility.

Councillor Miller spoke about another potential amendment to the Procedural By-law. In Section 8.7 (6) of the current by-law, only the member challenging the Presiding Officer's ruling on a Point of Order has the opportunity to speak, he would like to see a change to all could speak.

Councillor Graham sought information on new Police Facility process.

Councillor Carr provided a correction regarding an earlier motion (discussion of urban resurfacing) and apologized to Councillor Graham.

11. MOTIONS

11.1 AMENDMENT TO PROCEDURAL BY-LAW (2007-194)

The following motion was approved **as amended**.

Moved by Councillor Carr
Seconded by Councillor McCaw

REC. NO. 207/16 THAT the City of Belleville Procedural By-law 2007-194 be amended by adding the following under section 8.6, Rules of Debate;

- (1) The Presiding Officer will read the motion as outlined in the agenda prior to discussion.
- (2) The Member who made the motion or caused the motion to be moved, **where a motion is new or not presented by staff ("New Business", "Notice of Motion", "Amended" etc.)**, will be recognized by the Presiding Officer and have the opportunity to speak first to the motion.

and

THAT the already existing subsections under Section 8.6 be renumbered as a consequence of these insertions.

- CARRIED -

11.2 CREATION OF A COMMITTEE OF COUNCIL - HIRING PRACTICES

Moved by Councillor McCaw
Seconded by Councillor Panciuk

REC. NO. 208/16 THAT a committee of Council be created to do a comprehensive review of all policies and procedures as they relate to hiring practices within the City of Belleville;

AND FURTHER, that the Terms of Reference for this committee specify the ability of the committee to perform compliance audits at the committee's discretion.

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

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

NAYS: Councillor Denyes
Councillor Thompson
His Worship Mayor Christopher

YEAS: In total number of (6) six

NAYS: In total number of (3) three

The resolution was - CARRIED

12. NOTICE OF MOTIONS

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

13. ANNOUNCEMENTS

His Worship Mayor Christopher proclaimed May 7th as “Walk a Mile in Her Shoes” Day in the City of Belleville. He noted the members of Belleville Council participating and challenged Quinte West Council to participate as well. Mayor Christopher also mentioned this year’s “Trash Bash” taking place on April 23rd – organizers are looking for participants.

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

- Poverty Round Table
- Tour of Covanta incinerator in Durham Region
- Quinte Economic Development Commission Board Meeting
- Noted KPMG Competitive Alternatives website (Belleville ranking)
- Archives Grand Opening – thanked Councillor Thompson and former Belleville City Councillor Pat Culhane for their role in forming the joint archives – also thanked Mark Fluhrer and his staff, members of Hastings County. It is a fabulous facility and encouraged people to visit
- Eastern Ontario Mayor’s Caucus in Kingston (interest arbitration)
- Volunteer & Information Quinte Volunteer Appreciation Breakfast
- Hospice Quinte Fundraising Gala
- Attended local residents’ 90th and near 100th birthdays

Councillor Panciuk announced Quinte Citizen’s Alliance will hold a public meeting on May 16 at 7:00 p.m. at the Belleville Club. He encouraged anyone interested to attend. He also mentioned the opening of the new Archives Facility was a proud moment for the Library Board.

Councillor Thompson thanked Library CEO for his work with getting the Archives Facility into the Belleville Public Library. He also mentioned he recently attended Poppy Day / Vimy Ridge Day at Eastminster Church.

14. CONFIRMATORY BY-LAW

Moved by Councillor Miller
Seconded by Councillor Denyes

REC. NO. 209/16 THAT By-law Number 2016-60, a by-law to confirm the proceedings of Council at its meeting held on April 11, 2016, be read a first, second and third time and finally passed this 11th day of April, 2016.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Carr
Seconded by Councillor Thompson

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK