

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

MAY 26, 2014

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 3:00 p.m. to 4:00 p.m. In view of this, City Council met very briefly in open session at 3:00 p.m. to consider approval of the following resolution.

Moved by Councillor Christopher
Seconded by Councillor Thompson

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. ECDEV-2014-05 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- Review of the Regular In Camera Minutes of May 12, 2014.

- CARRIED -

1. **CALL TO ORDER**

1.1. **ATTENDANCE**

PRESENT His Worship Mayor Ellis

Councillor Boyce	Councillor Jenkins
Councillor Christopher	Councillor Lafferty
Councillor Culhane	Councillor Miller
Councillor Denyes	Councillor Thompson

(Matt MacDonald, City Clerk)

2. MOMENT OF PRAYER/MEDITATION

- 2.1 Mr. Matt MacDonald, Acting Director of Corporate Services/City Clerk, opened this session of Council with a moment of prayer

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 Miller
Seconded by Councillor Lafferty

THAT the Minutes of the Regular Council Meeting of May 12, 2014 and Regular In Camera Meeting of May 12, 2014 and Special Council Meeting of May 12, 2014 be approved.

- CARRIED -

6. DEPUTATIONS

His Worship Mayor Ellis introduced the new Director of Environmental and Operational Services, Jim Zimmerman.

- 6.1 Ted Ryczko presented a song and presentation to Council in recognition of the 70th anniversary of the invasion of Juno Beach (June 6) during the Second World War

Moved by Councillor Lafferty
Seconded by Councillor Culhane

THAT the presentation by Ted Ryczko to Council in recognition of the 70th anniversary of the invasion of Juno Beach (June 6) during the Second World War, be received.

- CARRIED -

- 6.2 Ian DeWaard of the Christian Labour Association of Canada - The Eastern Ontario Volunteer Firefighters Association - Local 920 made a deputation to Council regarding Elimination of Coincidental Response Area and Establishment of Urban and Rural Response Zones
Reports Item 8.a.10 refers

Moved by Councillor Denyes
Seconded by Councillor Thompson

THAT the deputation by Ian DeWaard of the Christian Labour Association of Canada - The Eastern Ontario Volunteer Firefighters Association - Local 920 regarding Elimination of Coincidental Response Area and Establishment of Urban and Rural Response Zones, be received and referred to Reports Item 8.a.10.

- CARRIED -

- 6.3 President, Sean Allair of the Belleville Professional Fire Fighters Association made a deputation to Council regarding Elimination of Coincidental Response Area and Establishment of Urban and Rural Response Zones
Reports Item 8.a.10 refers

Moved by Councillor Boyce
Seconded by Councillor Miller

THAT the deputation by President Sean Allair of the Belleville Professional Fire Fighters Association regarding Elimination of Coincidental Response Area and Establishment of Urban and Rural Response Zones, be received and referred to Reports Item 8.a.10.

- CARRIED -

7. CORRESPONDENCE

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

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 Denyes
Seconded by Councillor Thompson

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

- CARRIED -

8. a. REPORTS

8.a.1 **NOTICE OF APPLICATION FOR ENVIRONMENTAL COMPLIANCE APPROVAL, MINISTRY OF ENVIRONMENT & ENERGY - PROPOSED RECYCLING, COMPOSTING, AND WASTE TRANSFER FACILITY - 704 PHILLIPSTON ROAD**

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

Moved by Councillor Denyes
Seconded by Councillor Boyce

REC. NO. 374/14 THAT City Staff be directed to forward the City's concerns to the Ministry of Environment & Energy with respect to the Application for Environmental Compliance Approval of the Recycling, Composting & Waste Transfer facility proposed to be developed at 704 Phillipston Road **including all (emails) correspondence directed to the City regarding this matter; and,**

THAT Council ask the Director to exercise his discretion under section 20.15(1), Part II.1 of the Environmental Protection Act (EPA) to hold a public hearing regarding applications for Environmental Compliance Approvals.

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

YEAS: Councillor Boyce
Councillor Christopher
Councillor Culhane
Councillor Denyes
Councillor Jenkins
Councillor Lafferty
Councillor Miller
Councillor Thompson
His Worship Mayor Ellis

NAYS:

YEAS: In total number of (9) nine.

NAYS: In total number of (0) zero.

The resolution was - CARRIED

8.a.2 **SOURCE WATER PROTECTION – RISK MANAGEMENT AGREEMENT & MEMORANDUM OF UNDERSTANDING**

Moved by Councillor Lafferty
Seconded by Councillor Miller

REC. NO. 375/14 THAT a by-law be prepared for Council's consideration to approve and authorize the execution of a Source Water Protection – Risk Management Agreement and Memorandum of Understanding with Quinte Conservation.

- CARRIED -

8.a.3 TRANSPORTATION MASTER PLAN

Moved by Councillor Lafferty
Seconded by Councillor Denyes

REC. NO. 376/14 THAT the Council of The Corporation of the City of Belleville endorses the Transportation Master Plan, dated April 2014, prepared for the City by Morrison Hershfield.

- CARRIED -

8.a.4 CLEANING OF YARDS BY-LAW

Moved by Councillor Boyce
Seconded by Councillor Denyes

377/14 THAT a by-law to regulate the Cleaning and Clearing of Yards be prepared for Council's consideration as identified in the Chief Building Official's Report CBO-2014-07.

- CARRIED -

8.a.5 RFQ-ENG2014-26 REQUEST FOR QUOTATIONS FOR SUBSURFACE UTILITY ENGINEERING SURVEY FOR THE DOWNTOWN REVITALIZATION PROJECT

Moved by Councillor Culhane
Seconded by Councillor Miller

378/14 THAT Section 8, Requests for Tender, of the City's Purchasing By-law Number 2011-101 be waived; and further

THAT the Request for Quotation submission from Planview Utility Services Ltd. be accepted for the RFQ-ENG2014-26 Subsurface Utility Engineering Survey for the Downtown Revitalization Project in the amount of \$68,145.00 plus \$8,858.85 HST for a total dollar amount of \$77,003.85, this being the lowest cost Quotation received.

- CARRIED -

8.a.6 **PROFESSIONAL CONSULTANT SERVICES – TRANSIT OPERATIONAL REVIEW**

Moved by Councillor Miller
Seconded by Councillor Boyce

REC. NO. 379/14 THAT the Proposal submission from WSP Canada Inc. (formerly Genivar) be accepted for professional consultant services to conduct a Transit Operational Review, in the amount of \$73,960 plus \$9,615 HST for a total amount of \$83,575, this being the most qualified proposal received and that the Mayor and Clerk be authorized to sign the Acceptance Agreement on behalf of the Corporation of the City of Belleville and that the Clerk be authorized to affix the Corporate Seal.

- CARRIED -

8.a.7 **FEDERAL GAS TAX FUNDING AGREEMENT**

Moved by Councillor Denyes
Seconded by Councillor Culhane

380/14 THAT a by-law to approve and authorize the execution of an amended Municipal (Federal Gas Tax) Funding Agreement with the Association of Municipalities of Ontario (AMO) for the transfer of Federal Gas Tax revenues, be prepared for Council's consideration.

- CARRIED -

8.a.8 **BDIA RURAL ECONOMIC DEVELOPMENT FUNDING APPLICATION**

Moved by His Worship Mayor Ellis
Seconded by Councillor Boyce

381/14 THAT a by-law to approve and authorize an agreement with the Belleville Downtown Improvement Area and the Province of Ontario (Ministry of Rural Affairs) to support a Rural Economic Development funding application to support various downtown revitalization projects, be prepared for Council's consideration.

- CARRIED -

8.a.9 **REQUEST FOR PROPOSALS – SUPPLY OF HARBOUR SECURITY SERVICES AT MEYERS PIER AND VICTORIA PARK**

Moved by His Worship Mayor Ellis
Seconded by Councillor Boyce

REC. NO. 382/14 THAT the Request for Proposal submission from Valguard Security Inc. be accepted for the supply of harbour security at Meyers Pier and Victoria Park in the amount of \$13.96 per hour and \$20.94 per hour for statutory holidays plus HST, this being the most qualified proposal received that meets all requirements and that the Mayor and Clerk be authorized to sign the acceptance agreement on behalf of the Corporation of the City of Belleville and the Clerk be authorized to affix the corporate seal.

- CARRIED -

8.a.10 **ELIMINATION OF COINCIDENTAL RESPONSE AREA AND ESTABLISHMENT OF URBAN AND RURAL RESPONSE ZONES**

Councillor Denyes asked if any members of the public wished to speak on the matter. No members of the public requested to appear.

Moved by His Worship Mayor Ellis
Seconded by Councillor Boyce

383/14 THAT in accordance with the Director of Fire and Emergency Services' Report No. FES 2014-04 "Elimination of Coincidental Response Area and Establishment of Urban and Rural Response Zones", that the Coincidental Response Area be eliminated and that Council establish Urban and Rural Response Zones.

Moved by Councillor Denyes
Seconded by Councillor Culhane

THAT the resolution regarding Elimination of Coincidental Response Area and Establishment of Urban and Rural Response Zones be **TABLED**.

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

YEAS: Councillor Boyce
Councillor Christopher
Councillor Culhane
Councillor Denyes
Councillor Jenkins
Councillor Miller
Councillor Thompson

NAYS: Councillor Lafferty
His Worship Mayor Ellis

YEAS: In total number of (7) seven.

NAYS: In total number of (2) two.

The resolution was - CARRIED -

8. b. **CONSENT ITEMS**

Moved by Councillor Lafferty
Seconded by Councillor Boyce

REC. NO. 384/14 THAT the following Agenda items be approved.

- CARRIED -

8.b.1 **AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967 SCHEDULE "B" PARKING RESTRICTIONS DUFFERIN AVENUE BETWEEN BRIDGE STREET EAST AND VICTORIA AVENUE**

385/14 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 "B" Parking Restrictions on Dufferin, as outlined in Report No. DCC-2014-04 be prepared for Council's consideration.

- CARRIED -

8.b.2 **PRE-SERVICING AGREEMENT – SIENNA AVENUE & STORM WATER MANAGEMENT, POTTER’S CREEK SUBDIVISION – PHASE 3, OWNER: POTTERS CREEK DEVELOPMENTS INC.**

REC. NO. 386/14 THAT a by-law to approve and authorize the execution of a Pre-servicing Agreement between Potters Creek Developments Inc. and The Corporation of the City of Belleville for Phase 3 of the Potter’s Creek subdivision, be prepared for Council’s consideration but that the respective Agreement and related documentation not be signed until such time as the Manager of Approvals advises that the Owner has satisfied all City requirements.

- CARRIED -

8.b.3 **TEMPORARY NOISE PERMIT REVISED APPLICATION UNDER BY-LAW 2011-180, THE EMPIRE SQUARE, 321 FRONT STREET**

387/14 THAT The Empire Theatre revised application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 to have live entertainment for their outdoor events:

- Rockfest – July 24, 25, and 26, 2014
- Country Rocks the Square – July 27, 2014

from 4:30 p.m. to no later than 12:00 a.m. (midnight), be approved.

- CARRIED -

8. c. **COUNCIL INFORMATION MATTERS**

Moved by Councillor Miller
Seconded by Councillor Lafferty

388/14 THAT the following Agenda items be received save and except Items 8.c.1 and 8.c.3.a.

8.c.1 **2014 PUBLIC AWARENESS PROGRAM**
Enbridge Information Circular

- 8.c.2 **THANK YOU**
Letter of Thanks from Mayor, Ville de Lac-Megantic
- 8.c.3 **REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS**
- a) **Rail Safety**
May 6, 2014 resolution from the Municipality of Port Hope
- b) **Request for Federal Government to Implement a Moratorium on Installation of Cell Towers and Antennas until Safety Code 6 is Replaced**
May 5, 2014 Resolution from the Corporation of the Township of Madawaska Valley
- 8.c.4 **ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF**
- Quinte Waste Solutions Board Meeting Minutes of April 14, 2014

- CARRIED -

With respect to Council Information Matters Item 8.c.1 the following resolution was approved.

Moved by Councillor Denyes
Seconded by Councillor Boyce

REC. NO. 389/14 THAT the 2014 Public Awareness Program – Enbridge Information Circular be received.

- CARRIED -

With respect to Council Information Matters Item 8.c.3.a, the following resolution was approved.

Moved by His Worship Mayor Ellis
Seconded by Councillor Culhane

390/14 THAT Belleville City Council supports the following resolution of the Municipality of Port Hope:

WHEREAS the Municipality of Port Hope Protection of Persons and Property Committee considered a Staff report on Tuesday April 15, 2014 regarding rail safety;

AND WHEREAS the Municipality of Port Hope Council has expressed a desire to bring awareness to our municipality's concerns regarding rail safety;

AND WHEREAS the Municipality of Port Hope has two major railway trunk lines travelling through its community;

AND WHEREAS the Municipality of Port Hope has experienced derailments either in or immediately adjacent to our community;

AND WHEREAS the Municipality of Port Hope Council has expressed concerns regarding the transport of hazardous waste materials in rail cars travelling through our community;

AND WHEREAS the Municipality of Port Hope Council wishes to mitigate risk and mitigate potential emergency situations that may arise from train derailments, especially those transporting hazardous materials;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Port Hope Council respectfully requests that the Canadian National Railway (CN) and the Canadian Pacific Railway (CP) give due consideration to implementing a restriction on the rate of speed when travelling through the urban areas;

AND BE IT FURTHER RESOLVED THAT Council requests CN/CP rail to establish a presence in the Northumberland County to facilitate emergency response;

AND BE IT FURTHER RESOLVED THAT Council request CN/CP to give consideration to implementing a notification process to municipalities along the rail corridor of hazardous/high risk materials will be transported through our community in order that we may

better ensure the health and safety of our citizens;

AND BE IT FURTHER RESOLVED THAT this Resolution be circulated to all municipalities along the CN/CP railway corridor.

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Denyes
Seconded by Councillor Lafferty

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Culhane
Seconded by Councillor Thompson

REC. NO. 391/14 THAT the following by-laws be read a first time:

2014-80, a by-law to confirm the appointment of the Deputy City Clerk for The Corporation of the City of Belleville

2014-81, a by-law to appoint Officers for the City of Belleville for the purposes of the Municipal Freedom of Information and Protection of Privacy Act

2014-82, a by-law to authorize the purchase of certain lands by The Corporation of the City of Belleville from Raymond Peter O'Neill and Jean Mary O'Neill

2014-83, a by-law to provide for the maintenance of land in a clean and clear condition

2014-84, a by-law to approve and authorize the execution of a Municipal Funding Agreement between the Association of Municipalities of Ontario and The Corporation of the City of Belleville

2014-85, a by-law to approve and authorize the execution of a Memorandum of Understanding dated the 26th day of May 2014 between The Corporation of the City of Belleville and Quinte Conservation Authority (Source Protection Plan Implementation)

2014-86, a by-law to approve and authorize the execution of an Agreement dated the 26th day of May 2014 between The Corporation of the City of Belleville and Quinte Conservation Authority (Source Protection Plan Part IV Enforcement Transfer Agreement)

2014-87, 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 (Dufferin Avenue)

- CARRIED -

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

Moved by Councillor Boyce
Seconded by Councillor Miller

REC. NO. 392/14 THAT the following by-laws be read a second time:

2014-80	2014-84
2014-81	2014-85
2014-82	2014-86
2014-83	

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Lafferty
Seconded by Councillor Christopher

- REC. NO. 393/14 THAT the following by-laws be read a third time:
- 2014-80, a by-law to confirm the appointment of the Deputy City Clerk for The Corporation of the City of Belleville
- 2014-81, a by-law to appoint Officers for the City of Belleville for the purposes of the Municipal Freedom of Information and Protection of Privacy Act
- 2014-82, a by-law to authorize the purchase of certain lands by The Corporation of the City of Belleville from Raymond Peter O'Neill and Jean Mary O'Neill
- 2014-83, a by-law to provide for the maintenance of land in a clean and clear condition
- 2014-84, a by-law to approve and authorize the execution of a Municipal Funding Agreement between the Association of Municipalities of Ontario and The Corporation of the City of Belleville
- 2014-85, a by-law to approve and authorize the execution of a Memorandum of Understanding dated the 26th day of May 2014 between The Corporation of the City of Belleville and Quinte Conservation Authority (Source Protection Plan Implementation)
- 2014-86, a by-law to approve and authorize the execution of an Agreement dated the 26th day of May 2014 between The Corporation of the City of Belleville and Quinte Conservation Authority (Source Protection Plan Part IV Enforcement Transfer Agreement)

- CARRIED -

10. NEW BUSINESS

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

11. MOTIONS

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

12. NOTICE OF MOTIONS

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

13. ANNOUNCEMENTS

The Acting Director of Corporate Services/City Clerk, Matt MacDonald, advised that the Municipal Property Assessment Corporation now has an on-line voter look up website available for residents to verify they are on the municipal voters list. He also spoke about the newly formed Disaster Relief Committee which is currently seeking volunteers.

Councillor Culhane spoke about a play she is participating in this Saturday, May 31st at the Greek Hall. The play is a fundraiser for the Sexual Assault Centre.

14. CONFIRMATORY BY-LAW

Moved by Councillor Boyce
Seconded by Councillor Christopher

REC. NO. 394/13 THAT By-law Number 2014-88, a by-law to confirm the proceedings of Council at its meeting held on May 26th 2014, be read a first, second and third time and finally passed this 26th day of May, 2014.

- CARRIED -

15. **ADJOURNMENT**

Moved by Councillor Thompson
Seconded by Councillor Denyes

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK