

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

MAY 30, 2013

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 Boyce
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. DHR-2013 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 May 13, 2013.

- CARRIED -

1. **CALL TO ORDER**

1.1. **ATTENDANCE**

PRESENT His Worship Mayor Ellis

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

(Matt MacDonald, Acting City Clerk)

ABSENT Councillor Lafferty

2. MOMENT OF PRAYER/MEDITATION

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

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Denyes declared a Pecuniary Interest in Consent Item 8.b.3 (Parking Lot Management – Quinte Consolidated Courthouse) as she works for the Ministry of the Attorney General (Belleville Court Office). She will therefore be refraining from discussion and voting on this 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 Denyes
Seconded by Councillor Thompson

THAT the Minutes of the Regular Council Meeting of May 13, 2013 and Regular In Camera Meeting of May 13, 2013 be approved.

- CARRIED -

6. DEPUTATIONS

6.1 Neil Howie of the Belleville ATV Club provided Council with information regarding the new club and their future plans

Moved by Councillor Boyce
Seconded by Councillor Jenkins

THAT the deputation of Neil Howie of the Belleville ATV Club providing Council with information regarding the new club and their future plans, be received **and referred to staff**.

- CARRIED -

- 6.2 Peter Collins representing Citizens Against Water Fluoridation made a deputation to Council regarding fluoridation of the Belleville city water supply

Moved by Councillor Miller
Seconded by Councillor Jenkins

THAT the deputation of Peter Collins representing Citizens Against Water Fluoridation regarding fluoridation of the Belleville city water supply, be received.

- CARRIED -

- 6.3 Richard Hughes representing the Dr. James B. Collip Recognition Committee made a deputation to Council regarding a memorial plaque adjacent to the Library

Moved by Councillor Thompson
Seconded by Councillor Culhane

THAT the deputation by Richard Hughes representing the Dr. James B. Collip Recognition Committee requesting Council's endorsement of an application to the Ontario Heritage Trust for a provincial memorial plaque to be placed adjacent to the Belleville Public Library to honour Dr. James B. Collip be approved.

- CARRIED -

7. **CORRESPONDENCE**

- 7.1 Letter from the Belleville Downtown Improvement Area (BDIA) notifying Council of the Downtown Belleville Sidewalk Sale event and requesting street closures and other assistance
Reports Item 8.b.8 refers

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the May 21, 2013 letter from the Belleville Downtown Improvement Area (BDIA) notifying Council of the Downtown Belleville Sidewalk Sale event and requesting street closures and other assistance, be received and referred to Consent Item 8.b.8.

- CARRIED -

- 7.2 Letter from Big Brothers Big Sisters of Hastings & Prince Edward Counties regarding a flyby for Ribfest

Moved by Councillor Denyes
Seconded by Councillor Culhane

THAT the May 8, 2013 letter from Big Brothers Big Sisters of Hastings & Prince Edward Counties seeking Council approval of a 'flyby to take place as low as 500 feet' by aircraft from CFB Trenton at their Ribfest event on August 9, 2013 be approved and a letter be sent to them for forwarding to CFB Trenton.

- 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 Jenkins

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

- CARRIED -

8. a. REPORTS

8.a.1 BELLEVILLE POLICE SERVICE BOARD REQUEST – IMPLEMENTATION OF A FORTIFICATION BY-LAW

Moved by Councillor Boyce
Seconded by Councillor Culhane

- REC. NO. 327/13 THAT pursuant to the Acting Director of Corporate Services/Clerk's Report No. DCS-2013-11 Council direct management, as per the request of the Belleville Police Services Board, to proceed with the preparation of a Fortification By-law for Council's consideration.

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

YEAS: Councillor Boyce
Councillor Cuhlane
Councillor Jenkins
Councillor Miller

NAYS: Councillor Christopher
Councillor Denyes
Councillor Thompson
His Worship Mayor Ellis

YEAS: In total number of (4) four

NAYS: In total number of (4) four

The resolution was - **LOST** -

8.a.2 **ONTARIO INFRASTRUCTURE AND LANDS CORPORATION (OILC) LONG TERM BORROWING**

Moved by Councillor Christopher
Seconded by Councillor Thompson

REC. NO. 328/13 THAT a by-law to approve and authorize Ontario Infrastructure and Lands Corporation (OILC) for the Quinte Sports and Wellness Centre Project, Fire Hall/Fire Station Project, NE Industrial Park Services Project, Highway 62 Watermain Project, and the Dundas Street West Trunk Sewer Project be financed through the issuance of Debentures as referenced in the Director of Finance/Treasurer's Report No. DF-2013-17, be prepared for Council's consideration.

- CARRIED -

8.a.3 **RFP-ENG2013-17, MOIRA STREET WEST BRIDGE REHABILITATION PROJECT CONTRACT ADMINISTRATION SERVICES**

Moved by Councillor Denyes
Seconded by Councillor Christopher

329/13 THAT the Request for Proposal submission from G.D. Jewell Engineering Inc. be accepted for RFP-ENG2013-17 Contract Administration Services for the Moira Street West Bridge Rehabilitation Project, in the amount of \$69,606.00 plus \$9,048.78 HST for a total dollar amount of \$78,654.78, this being the lowest cost and most 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 Corporate Seal.

- CARRIED -

8. b. CONSENT ITEMS

Moved by Councillor Cuhane
Seconded by Councillor Denyes

REC. NO. 330/13 THAT the following Agenda items be approved with the exception of Items 8.b.1 and 8.b.3.

- CARRIED -

8.b.1 ELECTRONIC RECORDING OF IN CAMERA MEETINGS

The following resolution was before Council **as amended**:

Moved by Councillor Jenkins
Seconded by Councillor Boyce

331/13 THAT the report of the Acting Director of Corporate Services/Clerk No. DCS-2013-04, Electronic Recording of In Camera Meetings, be received **and further that management prepare an additional report for Council's consideration containing detailed costing of a web streaming system for this purpose.**

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

YEAS: Councillor Boyce
Councillor Jenkins
Councillor Miller
His Worship Mayor Ellis

NAYS: Councillor Christopher
Councillor Culhane
Councillor Denyes
Councillor Thompson

YEAS: In total number of (4) four.

NAYS: In total number of (4) four.

The resolution was - **LOST** -

8.b.2 **EXECUTION OF SUBDIVISION AGREEMENT, FINAL APPROVAL OF PLAN OF SUBDIVISION, ACADEMY PLACE SUBDIVISION, PART 2, PLAN 21R-21822, PART OF LOT 7, CONCESSION 3, FORMERLY TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE (330 CANNIFTON ROAD NORTH) OWNER: GCL DEVELOPMENTS LTD.**

REC. NO. 332/13 THAT a by-law to approve and authorize the execution of a Subdivision Agreement between GCL Developments Ltd. and The Corporation of the City of Belleville, 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; and

THAT the Academy Place Plan of Subdivision (File No. 12T-11501) for the lands identified as Part 2, Plan 21R-21822, Part of Lot 7, Concession 3, formerly Township of Thurlow, now City of Belleville, County of Hastings, be granted final approval; and

THAT the Manager of Approvals be authorized to stamp and sign the final plans provided that the Owner has satisfied all City requirements and the surveyor's subdivision plans are satisfactory to Approvals staff."

- CARRIED -

8.b.3 **PARKING LOT MANAGEMENT – QUINTE CONSOLIDATED COURTHOUSE**

Moved by His Worship Mayor Ellis
Seconded by Councillor Christopher

333/13 THAT the Director of Engineering and Development Services' Report Number DEV-2013-05, regarding an agreement between the City of Belleville and Infrastructure Ontario, be received; and

THAT a by-law to approve and authorize an Agreement between The Corporation of the City of Belleville and Her Majesty The Queen in Right

of Ontario as represented by The Minister of Infrastructure, as represented by Ontario Infrastructure and Lands Corporation for the City's management and operation of the parking lots at the new Quinte Consolidated Courthouse, be prepared for Council's consideration; and

THAT the Mayor and City Clerk be authorized to sign the 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.4 **CO-ORDINATION AGREEMENT – QUINTE CONSOLIDATED COURTHOUSE**

REC. NO. 334/13 THAT the Director of Engineering and Development Services' Report Number DEV-2013-06, regarding an agreement between the City of Belleville and Infrastructure Ontario, be received; and

THAT a by-law to approve and authorize an Agreement between The Corporation of the City of Belleville and Her Majesty The Queen in Right of Ontario as represented by The Minister of Infrastructure, as represented by Ontario Infrastructure and Lands Corporation for infrastructure co-ordination and financial contributions by the Province toward the James Street reconstruction, related to the new Quinte Consolidated Courthouse, be prepared for Council's consideration; and

THAT the Mayor and City Clerk be authorized to sign the 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.5 **SUPPLY & DELIVER SCOTT AIR PAKS**

REC. NO. 335/13 THAT the Tender submission from Acklands Grainger Inc. be accepted for the supply and delivery of SCOTT AIR PAKS according to the specifications listed in the 'Request for Tender' in the amount of \$239,593.58 plus \$31,147.16 HST for a total dollar amount of \$270,740.74, this being the most 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 Corporate Seal.

- CARRIED -

8.b.6 **MUNICIPAL BY-LAW ENFORCEMENT OFFICER**

336/13 THAT a by-law to appoint a Municipal By-law Enforcement Officer for 12-24 Tracey Park Drive, be prepared for Council's consideration.

- CARRIED -

8.b.7 **TEMPORARY NOISE PERMIT APPLICATION UNDER BY-LAW 2011-180, THE EMPIRE SQUARE, 321 FRONT STREET**

337/13 THAT The Empire Theatre application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 to have live entertainment for their outdoor event Empire Rockfest, July 25, 26, and 27, 2013, from 7:00 p.m. to no later than 11:30 p.m. be approved.

- CARRIED -

8.b.8 **BDIA DOWNTOWN SIDEWALK SALE 2013**

REC. NO. 338/13 THAT the requests from Belleville Downtown Improvement Area (BDIA) contained in their letter of May 21, 2013 concerning the Downtown Sidewalk Sale event, Thursday, July 11 to Saturday, July 13, 2013 inclusive, be approved; and,

THAT Council approve the use of City sidewalks and parking spaces within the BDIA boundaries for the Downtown Sidewalk Sale event, Thursday, July 11 to Saturday, July 13, 2013 inclusive; and,

THAT Campbell Street be closed to through traffic from Pinnacle Street"

- CARRIED -

8. c. **COUNCIL INFORMATION MATTERS**

Moved by Councillor Boyce
Seconded by Councillor Denyes

339/13 THAT the following Agenda items be received.

8.c.1 **MUNICIPAL INFORMATION – AGCO**
Municipal Clerk's Official Notice of Application for Hastings & Prince Edward Regiment, 187 Pinnacle Street

8.c.2 **REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS**

a) **Proposal that the Drive Clean Program be Wound Down, Recognizing it was Originally Created to Keep the Testing in Areas where Vehicle Concentration is High**
Resolution from the Township of Malahide

b) **Request the Establishment of a Province-Wide Strategy for the Management of the Emerald Ash Borer**

April 8, 2013 resolution from the City of Peterborough

8.c.3 **ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF**

- Quinte Waste Solutions Board Meeting Minutes of April 15, 2013

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Boyce
Seconded by Councillor Denyes

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Miller
Seconded by Councillor Culhane

REC. NO. 340/13 THAT the following by-laws be read a first time:

2013-85, a by-law to approve and authorize the execution of an Assignment of Lease Agreement between Terry Pascoe, Greg Annesley and The Corporation of the City of Belleville

2013-86, a by-law to approve and authorize the execution of a Subdivision Agreement between GCL Developments Ltd. and The Corporation of the City of Belleville

2013-87, a by-law to appoint a Municipal By-law Enforcement Officer for the purpose of enforcing By-law Number 9457 and Part III, Section 3 (Parking of Vehicles on Private Property) and, as it affects the area of land and premises owned and/or operated by Unicum Management Corp. (12-24 Tracey Park Drive)

2013-88, a by-law to appoint Municipal By-law Enforcement Officers with respect to certain by-laws of the City of Belleville (Neptune Security)

2013-89, a by-law to authorize certain capital works of The Corporation of the City of Belleville (the "Municipality"); to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation ("OILC") for financing such capital works; to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing from OILC for such works through the issue of debentures

- CARRIED -

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

Moved by Councillor Culhane
Seconded by Councillor Thompson

REC. NO. 341/13 THAT the following by-laws be read a second time:

2013-85
2013-86
2013-87
2013-88
2013-89

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Thompson
Seconded by Councillor Denyes

REC. NO. 342/13 THAT the following by-laws be read a third time:

2013-85, a by-law to approve and authorize the execution of an Assignment of Lease Agreement between Terry Pascoe, Greg Annesley and The Corporation of the City of Belleville

2013-86, a by-law to approve and authorize the execution of a Subdivision Agreement between GCL Developments Ltd. and The Corporation of the City of Belleville

2013-87, a by-law to appoint a Municipal By-law Enforcement Officer for the purpose of enforcing By-law Number 9457 and Part III, Section 3 (Parking of Vehicles on Private Property) and, as it affects the area of land and premises owned and/or operated by Unicum Management Corp. (12-24 Tracey Park Drive)

2013-88, a by-law to appoint Municipal By-law Enforcement Officers with respect to certain by-laws of the City of Belleville (Neptune Security)

2013-89, a by-law to authorize certain capital works of The Corporation of the City of Belleville (the "Municipality"); to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation ("OILC") for financing such capital works; to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing from OILC for such works through the issue of debentures

- CARRIED -

10. NEW BUSINESS

Councillor Jenkins requested an update on the Police Facility Steering Committee from the Chief Administrative Officer. He questioned the possibility of suspending this committee in light of the potential costing by the Ontario Provincial Police. Councillor Miller provided an update and indicated the committee will move forward until directed otherwise by Council. He also noted an upcoming review of the Kingston and Stirling-Rawdon facilities.

Councillor Boyce mentioned that there is an updated trail map available at the Belleville and District Chamber of Commerce, City Hall and the Quinte Sports and Wellness Centre.

His Worship Mayor Ellis announced the appointment of Mark MacDonald as the Director of Fire and Emergency Services/Fire Chief. Mark was appointed Deputy Fire Chief in January of 2012 and has served as Acting Fire Chief since December of 2012.

Moved by Councillor Denyes
Seconded by Councillor Miller

REC. NO. 343/13 THAT By-law Number 2013-91, being a by-law to appoint the Director of Fire and Emergency Services/Fire Chief and Emergency Measures Coordinator for The Corporation of the City of Belleville, dated the 30th day of May, 2013 be read a first time this 30th day of May, 2013.

- CARRIED -

Moved by Councillor Thompson
Seconded by Councillor Boyce

344/13 THAT By-law Number 2013-91 be read a second time this 30th day of May, 2013.

- CARRIED -

Moved by Councillor Denyes
Seconded by Councillor Miller

REC. NO. 345/13 THAT By-law Number 2013-91, being a by-law to appoint the Director of Fire and Emergency Services/Fire Chief and Emergency Measures Coordinator for The Corporation of the City of Belleville, dated the 30th day of May, 2013 be read a third time and finally passed this 30th day of May, 2013.

- CARRIED -

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

Councillor Thompson spoke about the Christmas Lighting Display Committee and highlighted a new pamphlet that the Committee is distributing to the business community asking for support or donations. The Committee hopes to raise between \$25,000 and \$30,000 for new display pieces.

His Worship Mayor Ellis noted an email received from the Minister Responsible for Seniors regarding Seniors' Month.

Moved by Councillor Boyce
Seconded by Councillor Denyes

REC. NO. 346/13 THAT His Worship Mayor Ellis proclaim the month of June 2013 as "**Seniors' Month**" in the City of Belleville.

- CARRIED -

Moved by Councillor Boyce
Seconded by Councillor Jenkins

REC. NO. 347/13 THAT His Worship Mayor Ellis proclaim the month of June 2013 as “**Recreation and Parks Month**” in the City of Belleville.

- CARRIED -

The Director of Recreation, Culture & Community Services, Mark Fluhrer, noted the West Riverside Splash Pad is set to open soon. The City is also proceeding with the Parkdale and Kinsmen Splash Pad projects.

His Worship Mayor Ellis mentioned that Belleville will be featured at the 2013 Association of Municipalities of Ontario (AMO) Conference in August. Mayor Ellis will be speaking at two sessions regarding “Best Practices” and the “Build Belleville Initiative”.

14. CONFIRMATORY BY-LAW

Moved by Councillor Denyes
Seconded by Councillor Miller

348/13 THAT By-law Number 2013-90, a by-law to confirm the proceedings of Council at its meeting held on May 30th, 2013, be read a first, second and third time and finally passed this 30th day of May, 2013.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Boyce
Seconded by Councillor Denyes

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK