

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

SEPTEMBER 28, 2015

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 3:30 p.m. In view of this, City Council met very briefly in open session at 3:30 p.m. to consider approval of the following resolution.

Moved by Councillor Denyes
Seconded by Councillor Carr

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-2015-30 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. MRT-2015-15 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. DRCCS-2015-19 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- Review of the Special In Camera Minutes of September 4, 2015 and Regular In Camera Minutes of September 14, 2015.

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

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 Thompson

THAT the Minutes of the Special Council Meeting of September 3 and 4, 2015, Special In Camera Meeting of September 4, 2015, Special Council Meeting of September 8, 2015, Regular Council Meeting of September 14, 2015, and the Regular In Camera Meeting of September 14, 2015 be approved.

- CARRIED -

6. DEPUTATIONS

- 6.1 Bill Durnford of University Hospitals Kingston Foundation and Ian Wilson, former Chair of the Together We Can campaign and immediate past Chair of UHKF made a deputation to Council

Moved by Councillor Denyes
Seconded by Councillor Miller

THAT the deputation of Bill Durnford of University Hospitals Foundation and Ian Wilson, former Chair of the Together We Can campaign and immediate past Chair of UHKF providing an update on the impact of the City's pledge to the Together We Can campaign be received.

- CARRIED -

- 6.2 Bonnie Perrigard of Highland Shores Children's Aid Society made a deputation to Council

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the deputation of Bonnie Perrigard of Highland Shores Children's Aid Society regarding Child Abuse Prevention Month be received.

- CARRIED -

- 6.3 Mark Turney and John Wynsma of the Quinte Hydraulic Board made a deputation to Council

Moved by Councillor Denyes
Seconded by Councillor Panciuk

THAT the deputation of Mark Turney and John Wynsma of the Quinte Hydraulic Board regarding a review of three hydraulic generation opportunities on the Moira River in Belleville and consideration of the projects for a possible bid to the Ontario Power Authority for renewable energy Feed-in-Tariff contracts, be received **and referred to New Business.**

- CARRIED -

7. CORRESPONDENCE

- 7.1 Letters in response to circulation to area residents of proposed By-law Number 2015-154, Heavy Traffic Restriction on Casey Road between Mitchell Road and Putnam Industrial Road
Second Reading of By-laws 9.b refers

Moved by Councillor Denyes
Seconded by Councillor Carr

THAT the letters from area residents: William Tryan, Helen Waite, Allan and Kathryn Rupert, John Malcolm, Dave Putman, Ronald Urch, Stewart Thrower, Mike Burghgraef, John and Brenda Ward, Larry and Lenny Brown, and Tracey Montgomery in response to the circulation to area residents of the proposed By-law Number 2015-154, Heavy Traffic Restriction on Casey Road between Mitchell Road and Putnam Industrial Road, be received and referred to 9.b Second Reading of By-laws.

- CARRIED -

Councillor Panciuk rose on a Point of Personal Privilege stating the minutes of August 10, 2015 were incorrect. He brought forward the issue of a challenge of his relationship with the Belleville Agricultural Society as a board member and a potential pecuniary interest from an "In Camera" session. Councillor Panciuk stated the steps he took to investigate his potential pecuniary interest including contacting Municipal Investigator John Maddox, the Ontario Ombudsman, as well as his own legal counsel on the matter. Based on his legal opinion, obtained at his cost, he felt he did not have a pecuniary interest however, in an act of caution he tendered his resignation from the Belleville Agricultural Society to protect himself and the City. It is noted he was not seeking a ruling from the Chair.

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 Boyce in the Chair.

- CARRIED -

8. a. REPORTS

8.a.1 PREPARATION OF DETAILED DESIGN AND TENDER PACKAGE FOR THE CITY CENTRE REVITALIZATION AND REDEVELOPMENT PROJECT – PHASES 2 AND 3

Moved by Councillor Thompson
Seconded by Mayor Christopher

REC. NO. 622/15 THAT Section 8 of By-law Number 2011-101, a By-law to Regulate Purchasing Procedures for the Corporation of the City of Belleville be waived to accept the proposal from the joint venture of Office of Responsive Environments and LEA Consulting Ltd. (ORE/LEA) in the amount of \$208,148.00 plus \$27,059.24 HST for a total dollar amount of \$235,207.24 to complete the revised detailed design and retendering for the Build Belleville project City Centre Revitalization and Redevelopment Project – Phases 2 and 3.

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

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

His Worship Mayor Christopher

YEAS: In total number of (7) seven

NAYS: In total number of (2) two

The resolution was - CARRIED

8.a.2 **SMALL COMMUNITIES FUND (SCF) – INTAKE #2
EXPRESSION OF INTEREST SUBMISSION**

Moved by Mayor Christopher
Seconded by Councillor Panciuk

REC. NO. 623/15 THAT the Director of Finance/Treasurer's Report No. DF-2015-19 be received and that staff forward Expression of Interest to the Small Communities Fund (SCF) Funding Program by September 30, 2015.

- CARRIED -

8.a.3 **CONTRACT NO. PRKS-2015-05 RE: NEW PLAYGROUND
EQUIPMENT AT KINSMEN PARK**

Moved by Councillor Thompson
Seconded by Councillor Denyes

624/15 THAT the request for proposal submission from Kayscott Holdings Limited o/a KSL Design, Option #2, for Contract No. PRKS-2015-05 re New Playground Equipment at Kinsmen Park be accepted in the amount of \$114,905.24, plus \$14,937.68 HST, for a total amount of \$129,842.92, 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 the City Clerk be authorized to affix the Corporate Seal.

- CARRIED -

8.a.4 **PARA TRANSIT VEHICLE PURCHASE**

Moved by Councillor Miller
Seconded by Councillor Thompson

625/15 THAT Section 8, Request for Tender, of the City's Purchasing By-law Number 2011-101, be waived; and

THAT the proposal from Overland Custom Coach be accepted for three (3) Para Transit Vehicles in the amount of \$96,220.00 plus \$12,508.60 HST, for a total of \$108,728.60 per bus, as per the Transit Procurement Initiative of the Metrolinx Procurement Program, 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. b. **CONSENT ITEMS**

Moved by Councillor Denyes
Seconded by Councillor Thompson

REC. NO. 626/15 THAT the following Agenda items be approved.

- CARRIED -

8.b.1 **CONTRACT NO. PRKS-2015-04, RE: LANDSCAPING AT KINSMEN PARK PLAYGROUND**

627/15 THAT the tender submission from Scott Wentworth Landscaping Group Ltd. for Contract No. PRKS-2015-04 re: Landscaping at Kinsmen Park Playground be accepted in the amount of \$61,648.74 plus \$8,014.34 HST for a total amount of \$69,663.08, 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.b.2 **CONTRACT NO. EOS-2015-11, RE: SUPPLY AND
INSTALLATION OF NEW WEIGH SCALE**

REC. NO. 628/15 THAT the tender submission from Rose Scale Ltd. be accepted for Contract No. EOS-2015-11 re: Supply and Installation of New Weigh Scale, in the amount of \$68,025.00 plus \$8,843.25 HST for a total amount of \$76,868.25, 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.b.3 **MUNICIPAL BY-LAW ENFORCEMENT OFFICER**

629/15 THAT a by-law to appoint a Municipal By-law Enforcement Officer for 190 Ann Street be prepared for Council's consideration.

- CARRIED -

8.b.4 **MUNICIPAL BY-LAW ENFORCEMENT OFFICERS**

630/15 THAT a by-law to appoint Municipal By-law Enforcement Officers for Loyalist College be prepared for Council's consideration.

- CARRIED -

8.b.5 **MUNICIPAL BY-LAW ENFORCEMENT OFFICERS**

631/15 THAT a by-law to appoint Municipal By-law Enforcement Officers for Quinte Mall, 100 Bell Boulevard and 190 Bell Boulevard, be prepared for Council's consideration.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

Moved by Councillor Carr
Seconded by Councillor McCaw

REC. NO. 632/15 THAT the following Agenda items be received save and except Item 8.c.2.

8.c.1 **LIQUOR LICENCE MUNICIPAL INFORMATION**

Rhino Sports and Play, 393 Sidney Street

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

a) **Request for Support that Hydro One Continue as a Publicly Owned Asset and the Sale of any Hydro One Assets be Limited Solely to Other Public Bodies such as Ontario Municipally Owned Utilities**
September 1, 2015 resolution from the City of Kingston

- CARRIED -

With respect to Council Information Matters Item 8.c.2.a, the following resolution was approved.

Moved by Councillor Miller
Seconded by Councillor Carr

633/15 THAT Belleville City Council supports the following resolution of the City of Kingston **as amended:**

WHEREAS Hydro One is a public asset, owned and paid for by generations of residents, ratepayers, and taxpayers in Ontario; and,

WHEREAS a public utility's surpluses stay in the province and have contributed to our common wealth; and,

WHEREAS as a public service it has helped our province become the industrial heartland of Canada, contributing to generations of economic growth; and,

WHEREAS as a public asset, our provincially elected legislature has been able to appropriately and accountably set electricity policy over time, such as green energy initiatives and the stewardship of nuclear energy;

THEREFORE BE IT RESOLVED THAT the City of Kingston states that it supports the continued operation of Hydro One as a publicly owned asset, and furthermore, that the sale of any Hydro One assets be limited solely to the sale of other public bodies, such as Ontario municipally owned utilities **corporations**; and,

THAT this motion be shared with Kingston and the Islands MPP Sophie Kiwala; MP Ted Hsu; Ontario Premier Kathleen Wynne; and the Opposition Leaders; Patrick Brown and Andrea Horwath, as well as Association of Municipalities of Ontario, the Electricity Distributors Association, and all municipalities in Ontario with populations over 30,000.

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Carr
Seconded by Councillor Denyes

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Boyce
Seconded by Councillor Miller

REC. NO. 634/15 THAT the following by-laws be read a first time:

2015-166, a by-law to approve and authorize the execution of a Subdivision Agreement for the Potters Creek – West subdivision between Potters Creek Developments Inc. and The Corporation of the City of Belleville

2015-167, a by-law to amend By-law Number 2015-02 being a by-law to appoint members to Boards, Committees and Special Committees (Citizens Against Racism and Discrimination Committee)

2015-168, a by-law to approve and authorize the purchase of land (158-168 Front Street)

2015-169, a by-law to approve and authorize the execution of a Memorandum of Understanding with Loyalist College (Transit Shelter)

2015-170, a by-law to appoint Municipal By-law Enforcement Officers for the purpose of enforcing By-law Number 9457 and Part III, Section 3 (Parking of Vehicles on Private Property) of By-law Number 12967, as they affect the area of land and premises known as 190 Ann Street (The Mayfair)

2015-171, a by-law to appoint Municipal By-law Enforcement Officers for the purpose of enforcing By-law Number 9457 and Part III, Section 3 (Parking of Vehicles on Private Property) and Section 6 (Handicapped Parking Zones) of By-law Number 12967, as they affect the area of land and premises known as Loyalist College on Wallbridge-Loyalist Road

2015-172, a by-law to appoint Municipal By-law Enforcement Officers for the purpose of enforcing By-law Number 9457 and Part III, Section 3 (Parking of Vehicles on Private Property) and Section 6 (Handicapped Parking Zones) of By-law Number 12967, as they affect the areas of land and premises known as Quinte Mall (390 North Front Street, 100 Bell Boulevard and 190 Bell Boulevard)

2015-173, a by-law to amend By-law Number 10152, being a by-law to dedicate certain lands in the City of Belleville as a public laneway

- CARRIED -

Councillor Panciuk asked the record to reflect he does not support By-law Number 2015-168 and was not present at the In Camera meeting when it was considered. Councillor McCaw also stated she does not support By-law Number 2015-168 and was also not present at the In Camera meeting.

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

Moved by Councillor Graham
Seconded by Councillor Miller

REC. NO. 635/15 THAT the following by-laws be read a second time:

2015-166	2015-170
2015-167	2015-171
2015-168	2015-172
2015-169	2015-173

- CARRIED -

Moved by Councillor Denyes
Seconded by Councillor Carr

636/15 THAT the second reading of By-law Number 2015-154, 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 on Casey Road, between Mitchell Road and Putman Industrial Road), be **TABLED**; and,

THAT a traffic survey be conducted within the next 60 days to monitor where the heavy truck traffic is originating from and that staff prepare a report to Council (to consider restrictions on Mitchell Road, extension of the Casey Road restriction to Highway 37 and police input regarding enforcement) for the November 23, 2015 Council Meeting.

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Thompson
Seconded by Councillor Miller

REC. NO. 637/15 THAT the following by-laws be read a third time:

2015-166, a by-law to approve and authorize the execution of a Subdivision Agreement for the Potters Creek – West subdivision between Potters Creek Developments Inc. and The Corporation of the City of Belleville

2015-167, a by-law to amend By-law Number 2015-02 being a by-law to appoint members to Boards, Committees and Special Committees (Citizens Against Racism and Discrimination)

2015-168, a by-law to approve and authorize the purchase of land (158-168 Front Street)

2015-169, a by-law to approve and authorize the execution of a Memorandum of Understanding with Loyalist College (Transit Shelter)

2015-170, a by-law to appoint Municipal By-law Enforcement Officers for the purpose of enforcing By-law Number 9457 and Part iii, Section 3 (Parking of Vehicles on Private Property) of By-law Number 12967, as they affect the area of land and premises known as 190 Ann Street (The Mayfair)

2015-171, a by-law to appoint Municipal By-law Enforcement Officers for the purpose of enforcing By-law Number 9457 and Part iii, Section 3 (Parking of Vehicles on Private Property) and Section 6 (Handicapped Parking Zones) of By-law Number 12967, as they affect the area of land and premises known as Loyalist College on Wallbridge-Loyalist Road

2015-172, a by-law to appoint Municipal By-law Enforcement Officers for the purpose of enforcing By-law Number 9457 and Part iii, Section 3 (Parking of Vehicles on Private Property) and Section 6 (Handicapped Parking Zones) of By-law Number 12967, as they affect the areas of land and premises known as Quinte Mall (390 North Front Street), 100 Bell Boulevard and 190 Bell Boulevard

2015-173, a by-law to amend By-law Number 10152, being a by-law to dedicate certain lands in the City of Belleville as a public laneway

- CARRIED -

10. NEW BUSINESS

Councillor Miller asked staff to discuss with the Ministry of Transportation the relocation of city boundary signage on the 401 eastbound at Sidney Street.

Councillor Carr inquired about road repairs at Ashley Street and Frankford Road as well as Mudcat Road and what progress has been made. Manager of Transportation and Fleet Services, Pat McNulty, responded there should be an update within the next couple of weeks.

Moved by Mayor Christopher
Seconded by Councillor Boyce

REC. NO. 638/15 THEREFORE, be it resolved that the City of Belleville supports all municipalities in their applications to the Small Communities Infrastructure Funding programs and supports the need for consistent and sustainable infrastructure funding for all municipalities and communities including our neighbours the Mohawks of the Bay of Quinte.

- CARRIED -

Moved by Mayor Christopher
Seconded by Councillor Thompson

REC. NO. 639/15

WHEREAS capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.1.

AND WHEREAS the Province's FIT Program encourages the construction and operation of waterpower generation projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in the City of Belleville;

AND WHEREAS, pursuant to the FIT Rules, Version 4.0.1, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the the City of Belleville supports the construction and operation of the Projects anywhere in the City of Belleville.

This resolution's sole purpose is to enable the participants in the FIT Program to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects, or for any other purpose.

This resolution shall expire twelve (12) months after its adoption by Council;

AND THAT the Mayor and Clerk be authorized to sign the Blanket Support Resolution as provided by the Ontario Power Authority on behalf of the Corporation of the City of Belleville.

Members of Council spoke on this resolution 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 resolution was - CARRIED

11. MOTIONS

Moved by Councillor McCaw
Seconded by Councillor Panciuk

REC. NO. 640/15 THAT all property acquisitions contemplated by council on behalf of the City of Belleville outside of expropriation undergo a process of two appraisals and that the purchase of property be at a purchase price of not more than 10% over the lowest appraised value without unanimous consent of all council members.

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

YEAS: Councillor McCaw
Councillor Panciuk

NAYS: Councillor Boyce
Councillor Carr
Councillor Denyes
Councillor Graham
Councillor Miller
Councillor Thompson

His Worship Mayor Christopher

YEAS: In total number of (2) two
NAYS: In total number of (7) seven

The resolution - **FAILED** -

12. NOTICE OF MOTIONS

Moved by Councillor Carr

THAT the Environmental and Operational Services Department be directed to enhance the level of service through the Development of a Comprehensive Routine Road Maintenance Program; and,

THAT the Road Maintenance Program be expanded to include the additions of Crack Sealing, Shave and Pave and other types of resurfacing options, to the all ready existing maintenance program; and,

THAT the Road Patrol Cycle be deployed on a consistent for the entire City; and,

THAT a report be prepared for the 2016 Operating Budget with the appropriate recommendations and budget estimates for Council consideration.

13. ANNOUNCEMENTS

Councillor Thompson mentioned he recently attended "Art in the Park". He also spoke about the Christmas Lighting Display and that the opening ceremony is scheduled for November 13. Anyone interested in donating trees is asked to contact the Operational Services Department.

Councillor Carr represented His Worship Mayor Christopher this past weekend at the Annual Ad Astra Annual Stone Dedication Ceremony held at The National Airforce Museum.

Councillor Panciuk thanked the Information Technology Department for now having live streaming of Council Meetings available through the City's website. He also noted he will be taking an unpaid leave of absence from Council effective immediately until December to address recent family issues.

Councillor Denyes summarized the 116th annual Association of Municipalities of Ontario (AMO) conference she recently attended with Councillors Graham, Thompson and His Worship Mayor Christopher. She also spoke about the recent Lahr visit of the 25 member delegation from Belleville and summarized the tour. Councillor Denyes also commented that one thousand Syrian refugees are now settling into Lahr.

His Worship Mayor Christopher made the following announcements:

- the month of October was proclaimed “National Occupational Therapy Month” and “Child Abuse Prevention Month” in the City of Belleville; residents encouraged to wear purple on Friday October 16 to help raise awareness
- the week of October 18th - 24th was proclaimed “National Foster Family Week” in the City of Belleville
- on October 3rd the Ride for Refuge is taking place to raise funds for Nightlight Belleville
- October 1st was proclaimed “Seniors Day” in the City of Belleville
- October 8th was proclaimed the 15th annual “Child Care Worker & Early Childhood Educator Appreciation Day”

14. CONFIRMATORY BY-LAW

Moved by Councillor Miller
Seconded by Councillor Thompson

REC. NO. 641/15 THAT By-law Number 2015-174 a by-law to confirm the proceedings of Council at its meeting held on September 28, 2015, be read a first, second and third time and finally passed this 28th day of September, 2015.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Boyce
Seconded by Councillor Denyes

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK