

MINUTES

REGULAR MEETING OF CITY COUNCIL

2003 06 23

4:30 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowswell, Councillors D. Jones, P. Vaudry, J. Caicco, P. Mick, L. Turco, J. Curran, B. Hayes, F. Manzo, N. DelBianco, D. Orazietti, B. Irwin, D. Amaroso

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, J. Elliott, D. McConnell, B. Freiburger, M. Brechin, G. Mason, J. Luszka, N. Apostle, I. Little

1. **ADOPTION OF MINUTES**

Moved by Councillor P. Vaudry

Seconded by Councillor D. Orazietti

Resolved that the Minutes of the Regular Council Meeting of 2003 06 09 be approved. CARRIED.

2. **QUESTIONS AND INFORMATION ARISING OUT OF MINUTES AND NOT OTHERWISE ON AGENDA**

3. **PASSING OF ACCOUNTS**

Moved by Councillor F. Manzo

Seconded by Councillor D. Orazietti

Resolved that the accounts of 2003 06 06 in the amount of \$2,067,114.43 be passed and paid. CARRIED.

Councillor L. Turco declared a pecuniary interest – spouse employed by Police Services.

Councillor B. Irwin declared a pecuniary interest – employed by Sault Area Hospital.

Councillor P. Vaudry declared a pecuniary interest – retired employee of Algoma Steel Inc.

Councillor D. Amaroso declared a pecuniary interest – spouse employed by Algoma Steel Inc.

3. Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziatti
Resolved that the accounts of 2003 06 13 in the amount of \$1,577,590.97 and payrolls properly certified be passed and paid and the payrolls of the periods 2003 05 25 to 2003 06 07 in amounts of Hourly \$1,522,278.90 and Salaried \$327,041.38 as certified and paid be confirmed. CARRIED.

Councillor L. Turco declared a pecuniary interest – spouse employed by Police Services.

Councillor B. Irwin declared a pecuniary interest – employed by Sault Area Hospital.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Phil Becker, General Manager, International Bridge Authority was in attendance concerning Proclamation Sault Ste. Marie International Friendship Day.
- (b) Tanna Elliott, representing the Brain Injury Association was in attendance concerning Proclamation Brain Injury and Awareness Month.
- (c) Katherine MacRae, Organizer – Ride for the Cure was in attendance concerning Proclamation 2nd Annual Ride for the Cure.
- (d) Bill Therriault, Managing Director, Destiny Sault Ste. Marie Strategy was in attendance concerning his new position and the Economic Diversification Strategy .
- (e) John Pearson, John Bingham and Gus Palombi were in attendance concerning agenda item 6.(6)(a).
- (f) Bill O'Donnell, Algoma Health Unit was in attendance concerning agenda item 5.(s).
- (g) Bill Cowan and Jeff Hilderley were in attendance concerning agenda item 7.(a).

PART ONE – CONSENT AGENDA

5. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Moved by Councillor P. Vaudry

Seconded by Councillor J. Caicco

Resolved that all the items listed under date 2003 06 23- Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from the Downtown Association concerning a request for a street closing and extended store hours for a Midnight Magic event on 2003 07 18 was accepted by Council. The relevant By-law 2003-151 is listed under Item 10 of the Minutes.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the request from the Downtown Association merchants for extended store hours to midnight on Friday, July 18, 2003 to facilitate the annual summer Midnight Magic event, be approved. CARRIED.

- (b) The letter from the Sault Ste.Marie Airport Development Corporation requesting permission for a private property liquor licence extension was accepted by Council.

Moved by Councillor P.Vaudry

Seconded by Councillor D. Oraziatti

Resolved that the following requests for a liquor licence extension on private property for outdoor events on the stated dates and times be endorsed by City Council:

Sault Ste. Marie Airport Development Corporation – Fairground

Ride for the Cure of Breast Cancer

July 5, 2003 11:30 A.M. – 4:00 P.M.

Beach Party Grass Drags

July 26, 2003 11:00 A.M. – 1:00 A.M.

Beach Party Grass Drags

July 27, 2003 12:00 Noon – 1:00 A.M. CARRIED.

5. (c) Correspondence from the City of Pickering (concerning its Growth Mandate Study); the Municipality of Central Elgin (concerning requesting that the Federal and Provincial Governments avoid election calls when a municipal election is being held); the Town of Tecumseh (concerning the Emergency Management Act and the requirement for municipalities to develop Emergency Management Plans by April 2004); the Regional Municipality of York (concerning tax exempt transit benefits); the County of Grey and the County of Bruce (concerning mad cow disease); the Township of Michipicoten (concerning electrical distribution charges) was received by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Amaroso

Resolved that the City of Sault Ste. Marie supports and endorses the resolutions of other Algoma Municipalities including the Township of Michipicoten and the Township of Dubreuilville concerning excessive electrical distribution charges and requests that the Ontario Energy Board immediately investigate the fairness and legitimacy of the charges levied against Dubreuil Forest Products Limited (which in return is levied directly against all the residents and businesses in the community) by Great Lakes Power Limited; and

Further that the Government of Ontario immediately consider implementing an assistance program for all energy consumers who are being charged excessive non-competitive charges; and

Further that the Government of Ontario be urged to conduct a thorough investigation into the operation of the distribution of electricity in general in order to ensure that customers Province-wide are treated in a fair and non-discriminatory manner; and

Further that a copy of this resolution be forwarded to the Premier of Ontario, the Ontario Energy Board, the Minister of Energy, the Minister of Northern Development and Mines, MP and MPP Sault Ste. Marie, and the Townships of Michipicoten and Dubreuilville. CARRIED.

- (d) The request for a Special Occasion Permit for an event at a municipal facility was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Oraziatti

Resolved that the following request to hold a Special Occasion Permit event at a municipal facility on the stated dates and times be endorsed by Council:

Holiday Inn (wedding)

Roberta Bondar Park

Saturday, June 28, 2003 - 3:45 p.m. – 5:00 p.m. CARRIED.

5. (e) **Council Travel**

Moved by Councillor P. Vaudry

Seconded by Councillor J. Caicco

Resolved that Councillor Lou Turco, Councillor Peter Vaudry and Mayor John Rowswell be authorized to attend the AMO Conference being held in Toronto, August 17 – 20, 2003 at an estimated cost of \$1,500.00 each. CARRIED.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Oraziotti

Resolved that Councillor James Caicco be authorized to travel to Calgary, Alberta (as part of the WestJet Delegation meeting with WestJet Officials concerning the airline's service to Sault Ste. Marie) on June 24 – 26, 2003 at an estimated cost of \$1,250.00. CARRIED.

(f) **Staff Travel**

The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2003 06 23 be approved as requested. CARRIED.

(g) **2003 – 2004 AMO Board of Directors**

Moved by Councillor P. Vaudry

Seconded by Councillor N. DelBianco

Resolved that Councillor Lou Turco be nominated by the City of Sault Ste. Marie to the Association of Municipalities of Ontario (AMO) Board of Directors – Large Urban Caucus representative – 1 year term (2003 – 2004). CARRIED.

(h) **Tender for One (1) 35' Low Floor Passenger Transit Bus**

The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor D. Oraziotti

Resolved that the report of the Manager of Purchasing, dated June 23, 2003 be endorsed and that the tender for the supply and delivery of One (1) 35' Low Floor Passenger Transit Bus, required by the Transit Division of the Public Works & Transportation Department, be awarded as recommended. CARRIED.

(i) **Tender for RS2 Emulsified Asphalt & M.T.O. Prime**

The report of the Manager of Purchasing was accepted by Council.

5. (i) Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the Manager of Purchasing, dated June 23, 2003, be endorsed and that the tender to supply and deliver RS2 Emulsified Asphalt & M.T.O. Prime, required by the Public Works & Transportation Department, be awarded as recommended. CARRIED.
- (j) **Tax Registration & Tax Sale**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor P. Vaudry
Seconded by Councillor D. Orazietti
Resolved that the report of the City Tax Collector dated 2003 06 23 concerning Tax Registration & Tax Sale be accepted and the recommendation to commence Tax Sale Proceedings on the list of properties contained in the report, in accordance with the Municipal Act 2001, be approved. CARRIED.
- (k) **Contract 2003-6E – Trunk Road Resurfacing**
The report of the Manager of Construction & Environmental Engineering was accepted by Council. The relevant By-law 2003-148 is listed under Item 10 of the Minutes.
- (l) **Contract 2003-5E – Reconstruction of King Street**
The report of the Manager of Construction & Environmental Engineering was accepted by Council. The relevant By-law 2003-149 is listed under Item 10 of the Minutes.
- (m) **Operation and Maintenance of Sault Ste. Marie
Wastewater Treatment Facilities by PUC Services Inc.**
Reports of the City Solicitor and Commissioner of Engineering & Planning were accepted by Council. The relevant By-law 2003-154 is listed under Item 10 of the Minutes.
- (n) **City Owned Property at Southwest Corner of Queen and Bruce Streets
(Former Algoma Hotel)**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor P. Vaudry
Seconded by Councillor D. Orazietti
Resolved that the report of the City Solicitor dated 2003 06 23 concerning Interim Use of the Former Algoma Hotel Property (corner of Queen and Bruce Streets) be accepted and the recommendation that Option 1 – Using millings to turn the site into a parking lot at an estimated cost of \$2,000 - \$3,000 with funds from the Parking Reserve, be approved. CARRIED.

5. (o) **Proposed Agreement Between the City and the Sault Ste. Marie Innovation Centre**
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-145 is listed under Item 10 of the Minutes.
- (p) **Waterfront Walkway Extension**
The report of the Planning Division was accepted by Council.
- Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that the report of the Planning Division under date 2003 06 23 concerning the Waterfront Walkway Extension be accepted and the recommendation that City Council request the Minister of Northern Development and Mines reconsider the City's application for funding assistance from NOHFC, be endorsed. CARRIED.
- (q) **Municipal Ditch Maintenance**
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziatti
Resolved that the report of the Commissioner of Public Works and Transportation dated 2003 06 12 concerning Municipal Ditch Maintenance, be accepted as information. CARRIED.
- (r) **2003 Sidewalk and Curb Repair Programs**
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that the report of the Commissioner of Public Works and Transportation dated 2003 06 17 concerning the Sidewalk and Curb Repair Programs for 2003 be accepted as information. CARRIED.
- (s) **West Nile Virus Activities Update June 23, 2003**
The report of the Program Manager, Environmental Health, Algoma Health Unit was accepted by Council.
- Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziatti
Resolved that the report of the Program Manager, Environmental Health, Algoma Health Unit dated 2003 06 23 concerning West Nile Virus Activities Update be accepted as information. CARRIED.

5. (t) **Business Plan – Results Year Two**

The report of the Chief of Police was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Chief of Police entitled "Business Plan" be accepted as information. CARRIED.

Councillor L. Turco declared a pecuniary interest – spouse employed by Police Services.

(u) Correspondence from the M.P.P., Sudbury concerning the Sudbury Regional Hospital project was received by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Whereas a new single-site Sudbury Regional Hospital is recognized by community leaders as an important facility for not only Sudbury but all Northeastern Ontario citizens; and

Whereas the Sudbury Regional Hospital project has been stalled for two years; Now therefore be it resolved that the Council of the City of Sault Ste. Marie supports and calls upon the Province of Ontario to provide appropriate funding to complete construction of the Sudbury Regional Hospital. CARRIED.

(v) The letter from the Deputy Minister Correctional Services dated June 12, 2003 concerning the Sault Ste. Marie Young Offenders Facility was received by Council.

(w) **Second Line Widening Project**

The report of the City Solicitor was accepted by Council. The relevant By-law 2003-152 is listed under item 10 of the Minutes.

(x) **Planning Advisory Committee - Community Development Award**

The report of the Planning Advisory Committee was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Oraziatti

Resolved that the report of the Planning Advisory Committee dated 2003 06 23 concerning the Community Development Award be accepted and the recommendation that City Council award this year's Community Development Award to the Huron Superior Catholic District School Board be endorsed. CARRIED.

Councillor L. Turco declared a pecuniary interest – spouse is a trustee with Huron Superior Catholic District School Board.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (1) ADMINISTRATIVE

(a) Requests for Financial Assistance

The report of the Manager of Internal Audit was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Manager of Internal Audit dated 2003 06 16 concerning Requests for Financial Assistance be accepted and the recommendations contained therein, be approved. CARRIED.

(b) Review of Acquisition of Professional Services

The report of the Commissioner of Finance and Treasurer was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Jones

Resolved that the report of the Commissioner of Finance and Treasurer dated 2003 06 23 concerning Review of Acquisition of Professional Services be accepted and the recommendations contained therein be approved with the exception of engineering services. CARRIED.

6. (6) PLANNING

(a) Application No. A-16-03-Z.OP – A request to amend the Official Plan and Zoning By-law 4500 - Home Depot of Canada Inc. – East side of Great Northern Road approx. 180m south of Terrance Avenue

The reports of the Planning Division were accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor D. Orazietti

Resolved that the reports of the Planning Division under date 2003 06 23 concerning Application No. A-16-03-Z.OP – Home Depot of Canada Inc. be accepted and the recommendation that City Council approve the application subject to the revised 6 conditions contained in the report, be endorsed. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors D. Jones, P. Vaudry, J. Caicco, P. Mick, L. Turco, J. Curran, B. Hayes, F. Manzo, N. DelBianco, D. Orazietti, D. Amaroso

6. (6)
(a)

Against: Nil

Absent: Councillor B. Irwin

(b) **Application No. A-19-03-Z – Amend the Zoning By-law – City of Sault Ste. Marie – South side of St. Georges Avenue/Wellington Street W. to John Street**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor J. Caicco

Resolved that the report of the Planning Division under date 2003 06 23 concerning Application No. A-19-03-Z -- City of Sault Ste. Marie be accepted and the recommendation that City Council approve the request to amend Section 42 of By-law 4500, be endorsed. CARRIED.

7. **UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL**

(a) Correspondence from Cowan and Hilderley Partners dated 2003 06 02 was received by Council.

Mover Councillor F. Manzo

Seconder Councillor P. Vaudry

Whereas a letter (copy attached) was sent to the Mayor's Office on June 2, 2003 from Cowen and Hilderley Partners regarding the Offer of Purchase of the Water Tower; and

Whereas these partners request City Council to defer the actions of the Public Utilities from demolition to June 23, 2003 as these partners want to present a five (5) point proposal to City Council;

Therefore Be It Resolved that City Council approve the reconsideration of this issue and further that these partners' request to address Council at the June 23, 2003 City Council Meeting concerning their proposal be approved. OFFICIALLY READ NOT DEALT WITH. WITHDRAWN BY MOVER/SECONDER.

Mayor J. Rowswell declared a pecuniary interest – Hilderley's father's employer (Algoma Steel Inc.) is a client of engineering firm.

(b) Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziotti

Whereas as Council on January 27th, 2003 passed a resolution requesting that staff work with the Airport Development Corporation in seeking assistance in adjustments to the property tax class, representing a more equitable assessment; and

7. (b) Whereas in its effort staff have corresponded with the Provincial Ministries with little success in arriving at a response, recognizing the extended time frame and the critical nature of the request; and
Whereas Air Canada has been going through a very difficult restructuring period under bankruptcy protection, affecting the local regional carrier Air Jazz, impacting severely the revenue stream for the Sault Ste. Marie Airport; and
Whereas recent announcement by West Jet to discontinue air service following September 9th, 2003 further impacting revenue source; and
Whereas the above actions will have a major consequence in the ability of the Airport Development Corporation to maintain the level of service resulting in layoffs and reduction in operating services to the community;
Therefore be it resolved that Council strongly request that the Minister of Finance expedite the decision for a revised property tax structure to reflect a more equitable method in calculating both Municipal and Education tax responsibilities as compared to other Provincial airports. CARRIED.

8. **COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10. **CONSIDERATION AND PASSING OF BY-LAWS**

Moved by Councillor F. Manzo

Seconded by Councillor D. Oraziotti

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2003 06 23 be approved. CARRIED.

(a) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2003-93 being a by-law to allow the construction of a sidewalk on North Street from Pardee Avenue to St. George's Avenue under Section 3 of the Municipal Act, Ontario Regulation 119-03 be read a third time and passed in Open Council this 23rd day of June, 2003. CARRIED.

(b) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2003-119 being a by-law to stop up, close and authorize the conveyance of lanes in the Hudson Bay Subdivision, Plan No. 4175, and being shown as Parts 1, 2 and 3 on Plan IR-10592 be read a third time and passed in Open Council this 23rd day of June, 2003 after notice thereof had been published once a week for four weeks and after Council had met to hear every person who claims that his or her land will be prejudicially affected by the by-law and who had applied to be heard. CARRIED.

10. (c) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-145 being a by-law to authorize an agreement between the City and the Sault Ste. Marie Innovation Centre be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (d) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-146 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305 be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (e) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-147 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (f) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-148 being a by-law to authorize an agreement with the City and Ellwood Robinson Limited for the resurfacing of Trunk Road from Boundary Road to approximately 300m east of Dacey Road be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (g) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-149 being a by-law to authorize an agreement with the City and Lafarge Materials and Construction Inc. for the reconstruction of King Street from Bruce Street to Elgin Street be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (h) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-150 being a by-law to permit the temporary street closing of King Street from Bruce Street to Elgin Street be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (i) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-151 being a by-law to permit the temporary street closing of Queen Street from East Street to Dennis Street on Friday, July 18th, 2003 to facilitate Midnight Magic be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.

10. (j) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-152 being a by-law to authorize the acquisition of portions of civic addresses 188 and 228 Second Line West as part of the Second Line road widening project be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (k) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-153 being a by-law to amend the TEXT of Sault Ste. Marie Zoning By-law 4500 be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.
- (l) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that By-law 2003-154 being a by-law to authorize an agreement between the City and PUC Services Inc. concerning the operation and maintenance of the City's wastewater treatment facilities be read three times and passed in Open Council this 23rd day of June, 2003. CARRIED.

11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**

12. **ADJOURNMENT**

Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that this Council shall now adjourn. CARRIED.

"JOHN ROWSWELL"

MAYOR

"DONNA P. IRVING"

CLERK