

## **MINUTES**

### **REGULAR MEETING OF CITY COUNCIL**

**2003 08 11**

**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. Oraziotti, B. Irwin, D. Amaroso

**OFFICIALS:** J. Fratesi, D. Irving, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, G. Mason, M. Brechin, J. Luszka, L. McCoy, D. McConnell, D. Elliott, D. Overboe

1. **ADOPTION OF MINUTES**

Moved by Councillor B. Irwin

Seconded by Councillor D. Amaroso

Resolved that the Minutes of the Regular Council Meeting of 2003 07 21 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the accounts of 2003 07 18 in the amount of \$1,577,242.62 be passed and paid. CARRIED.

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

Mayor J. Rowswell declared a pecuniary interest – China Steel is a client of engineering firm.

3. Moved by Councillor B. Hayes  
Seconded by Councillor D. Amaroso  
Resolved that the accounts of 2003 07 25 in the amount of \$1,894,369.85 and payrolls properly certified be passed and paid and the payrolls of the periods 2003 07 06 to 2003 07 19 in amounts of Hourly \$1,538,861.43 and Salaried \$322,741.69 as certified and paid be confirmed. CARRIED.

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

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

Moved by - Councillor J. Curran  
Seconded by - Councillor N. DelBianco  
Resolved that the accounts of 2003 08 01 in the amount of \$1,049,086.79 be passed and paid. CARRIED.

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

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.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Ian McMillan, Trisha Westman, Lawrence Foster and Amanda Shoust were in attendance concerning Proclamation – Honorary Ambassadors – 2004 Eco-challenge World Championship.
- (b) Terry Bos, Sault Ste. Marie Airport Development Corporation was in attendance concerning agenda item 5(c).
- (c) Rick Talvitie, Totten Sims Hubicki Associates was in attendance concerning agenda item 5(t).
- (d) William Morden was in attendance concerning agenda item 6.(3)(a).
- (e) Mark Mageron was in attendance concerning agenda item 6.(6)(a).
- (f) Dave Spina was in attendance concerning agenda item 6.(6)(b).

## **PART ONE – CONSENT AGENDA**

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

Moved by Councillor J. Curran

Seconded by Councillor D. Amaroso

Resolved that all the items listed under date 2003 08 11 - Part One - Consent Agenda [save and except 5.(r) – deferred to August 25, 2003 Council Meeting] be approved as recommended. CARRIED.

- (a) Correspondence from the United Counties of Leeds and Grenville concerning Provincial Administrative Monetary Penalties Policy was received by Council.
- (b) Correspondence from the Association of Municipalities of Ontario concerning Blue Box funding was received by Council.

Moved by Councillor J. Curran

Seconded by Councillor D. Jones

Resolved that a letter be sent to the Minister of the Environment on behalf of City Council expressing the concerns outlined in the AMO correspondence concerning the Blue Box Funding Plan. CARRIED.

- (c) The letter from the Sault Ste. Marie Airport Development Corporation requesting an exemption to the Noise By-law for a Local Talent Showcase at the airport fairgrounds on September 6<sup>th</sup> was accepted by Council. The relevant By-law 2003-187 is listed under item 10 of the Minutes.
- (d) Correspondence concerning a request for permission to hold a Special Occasion permit event at an outdoor municipal facility was accepted by Council.

Moved by Councillor J. Curran

Seconded by Councillor D. Jones

Resolved that the following request to hold a Special Occasion permit event at a municipal facility on the stated date and time be endorsed by City Council:

Roberta Bondar Pavilion

Sault Area Hospital Foundation

September 7, 2003 12:00 noon to 5:00 p.m. CARRIED.

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

- (e) The letter from the Regional Director – Bell Canada concerning the Bell Community Development Fund was received by Council.

5. (f) The letter from the City Manager – Sault Ste. Marie, Michigan concerning a request for a joint City Council – City Commission Meeting was received by Council.

Moved by Councillor B. Irwin

Seconded by Councillor P. Vaudry

Resolved that City Council agrees to holding joint working sessions/meetings on an annual or semi-annual basis with Sault Ste. Marie Michigan City Council for purposes of discussing items of mutual concern. 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. Oraziotti, B. Irwin, D. Amaroso

Against: Nil

Absent: Nil

- (g) Correspondence from Mayor Rowswell concerning City of Forssa – Sister City was received by Council.

(h) **Tender for One (1) Large Format Monochrome Scanner**

Reports of the Manager of Purchasing and the Director of Engineering Design and Buildings were accepted by Council.

Moved by Councillor J. Curran

Seconded by Councillor D. Jones

Resolved that the report of the Manager of Purchasing dated August 11, 2003 be endorsed and that the tender for the supply and delivery of One (1) Large Format Monochrome Scanner, required by the Engineering and Planning Department, be awarded as recommended. CARRIED.

(i) **Staff Travel Requests**

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

Moved by Councillor B. Irwin

Seconded by Councillor D. Amaroso

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2003 08 11 be approved as requested. CARRIED.

(j) **2003 Municipal Election – November 10<sup>th</sup>**

The report of the City Clerk was accepted by Council. The relevant By-laws 2003-181 and 2003-182 are listed under item 10 of the Minutes.

5. (k) **2003 Tax Billing**  
The report of the City Tax Collector was accepted by Council. The relevant By-law 2003-185 is listed under item 10 of the Minutes.
- (l) **Property Tax Appeals**  
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that pursuant to Section 357 of the Municipal Act, R.S.O. 2001, (formerly Section 442 of the Municipal Act, R.S.O. 1990) the adjustments for tax accounts outlined on the City Tax Collector's reports of 2003 08 11 be approved and the tax records be amended accordingly. CARRIED.
- (m) **Sault Ste. Marie Museum Operating Agreement**  
The report of the Manager of Recreation and Culture was accepted by Council. The relevant By-law 2003-141 is listed under item 10 of the Minutes.
- (n) **Request for Financial Assistance for National/International Sports Competition**  
The report of the Assistant Manager, Recreation and Culture was accepted by Council.
- Moved by Councillor B. Irwin  
Seconded by Councillor D. Jones  
Resolved that the report of the Assistant Manager, Recreation and Culture dated 2003 08 11 concerning a request for financial assistance for National/International Sports Competition be accepted and the recommendation to provide a \$200.00 grant to Jessica Tuomela for attendance at the 2003 Canadian Open Swimming Championships for Swimmers With a Disability be approved. CARRIED.
- (o) **Ice Resurfacer Replacement for the John Rhodes Community Centre**  
The report of the Manager of Community Centres and Marine Facilities was accepted by Council.
- Moved by Councillor J. Curran  
Seconded by Councillor D. Amaroso  
Resolved that the report of the Manager of Community Centres and Marine Facilities dated 2003 08 11 concerning Ice Resurfacer Replacement for the John Rhodes Community Centre be accepted and the recommendation to purchase the new ice resurfacer with call for tender in 2003 so delivery can be in 2004 with funds coming from the Community Services Department Equipment Reserve Account be approved. CARRIED.

5. (p) **Ontario Works' Heating/Ventilating/Air Conditioning (HVAC) System**  
The report of the Director of Engineering Design and Buildings was accepted by Council.
- Moved by Councillor J. Curran  
Seconded by Councillor D. Jones  
Resolved that the report of the Director of Engineering Design and Buildings dated 2003 08 11 concerning Ontario Works' Heating/Ventilating/Air Conditioning (HVAC) System be accepted and the recommendation to retrofit the system with the retrofit to be awarded based on a Request for Proposals from local firms be approved. CARRIED.
- (q) **Ditching Easements – 1375 and 1379 Old Garden River Road**  
The report of the City Solicitor was accepted by Council. The relevant By-laws 2003-183 and 2003-184 are listed under item 10 of the Minutes.
- (r) **Soo Mill Use of City Boulevard on London Street**  
The report of the City Solicitor was received by Council. Council also received a petition from residents of London Street.
- Moved by Councillor L. Turco  
Seconded by Councillor P. Mick  
Resolved that agenda item 5.(r) Soo Mill Use of City Boulevard on London Street BE DEFERRED to the August 25<sup>th</sup>, 2003 Council Meeting in order to allow the affected neighbours an opportunity to address Council on this matter. CARRIED.
- Councillor N. DelBianco declared a pecuniary interest – relative lives on London Street.
- Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that the report of the City Solicitor dated 2003 08 11 concerning Soo Mill Use of City Boulevard on London Street be accepted and that City Council approve the requested use of the boulevard. OFFICIALLY READ NOT DEALT WITH.
- Councillor N. DelBianco declared a pecuniary interest – relative lives on London Street.
- (s) **Accessibility and Northern Avenue Crosswalk**  
The report of the Assistant City Solicitor was accepted by Council.

5. (s) Moved by Councillor B. Irwin  
Seconded by Councillor D. Jones  
Resolved that the report of the Assistant City Solicitor dated 2003 08 11 concerning Accessibility and Northern Avenue Crosswalk be accepted as information. CARRIED.
- (t) **Solid Waste Management Plan – Information Report to Council**  
The report of the Manager of Construction and Environmental Engineering was accepted by Council.
- Moved by Councillor J. Curran  
Seconded by Councillor D. Amaroso  
Resolved that the report of the Manager of Construction and Environmental Engineering dated 2003 08 11 concerning Solid Waste Management Plan Information Report to Council be accepted as information. CARRIED.
- (u) **Amendment to Signs Section (10) of By-law 76-185 – Lajambe Enterprises Inc. – 120 Huron Street – File No. B.3.1.14**  
The report of the Planning Division was accepted by Council.
- Moved by Councillor J. Curran  
Seconded by Councillor D. Jones  
Resolved that the report of the Planning Division dated 2003 08 11 concerning Amendment to Sign Section (10) of By-law 76-185 – Lajambe Enterprises Inc. 120 Huron Street be accepted and the recommendation that City Council approve the proposed sign location be endorsed. CARRIED.
- (v) **Industrial Land Development Program – Leigh’s Bay Road Environmental Assessment**  
The report of the Planning Division was accepted by Council.
- Moved by Councillor B. Irwin  
Seconded by Councillor D. Jones  
Resolved that the report of the Planning Division dated 2003 08 11 concerning the Industrial Land Development Program – Leigh’s Bay Road Environmental Assessment be accepted as information. CARRIED.
- 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.
- Mayor J. Rowsell declared a pecuniary interest – G. P. Flakeboard is a client of engineering firm.

5. (w) **Adjustment of Tipping Fees for Batchewana First Nation (Rankin Reserve) and Prince Township**

The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2003 08 05 concerning the Adjustment of Tipping Fees for the Batchewana First Nation (Rankin Reserve) and Prince Township be accepted and the recommendation contained therein be endorsed. CARRIED.

(x) The letter requesting permission for revised date for a private property liquor licence extension was accepted by Council.

Mover Councillor J. Curran

Seconder Councillor D. Amaroso

Resolved that City Council confirm its non-objection to the following request for a liquor licence extension on private property for an outdoor event on the revised stated date and time:

Pure Platinum – Washer/Toss Tournament

August 16, 2003 – 9:00 a.m. to 10:00 p.m. CARRIED.

## **PART TWO – REGULAR AGENDA**

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

6. (1) **ADMINISTRATIVE**

(a) **Council Resolution April 28, 2003 Regarding Potential Budget Reductions**

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

Moved by Councillor J. Curran

Seconded by Councillor D. Amaroso

Resolved that the report of the Chief Administrative Officer dated 2003 08 11 concerning the Council Resolution April 28, 2003 Regarding Potential Budget Reductions be accepted as information. CARRIED.

6. (3) **ENGINEERING**

(a) **Bayview Flooding**

The report of the Manager of Construction and Environmental Engineering was accepted by Council.

6. (3)



- (a) Moved by Councillor J. Curran  
Seconded by Councillor D. Jones  
Resolved that the report of the Manager of Construction and Environmental Engineering dated 2003 08 11 concerning Bayview Flooding be accepted as information. CARRIED.

6. (6) **PLANNING**

- (a) **Application No. A-24-03-OP – Mark Mageron – 1200 Third Line West – Request for Amendment to Permit the Subject Property to be Severed Into Four Parcels**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that the report of the Planning Division dated 2003 08 11 concerning Application No. A-24-03-OP – Mark Mageron be accepted and the recommendation that City Council approve the application be endorsed. CARRIED.

- (b) **Application No. A-25-03-Z – Joe Spina and Sons/Spina Brothers – 65, 67 and 71 Spring Street and 66 March Street – Request for Amendment to Remove the “Holding Suffix” from the “B-6” (Central Business District) Zone**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Irwin  
Seconded by Councillor D. Jones  
Resolved that the report of the Planning Division dated 2003 08 11 concerning Application No. A-25-03-Z – Joe Spina and Sons/Spina Brothers be accepted and the recommendation that City Council approve the application be endorsed. CARRIED.

7.

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

- (a) Moved by Councillor N. DelBianco  
Seconded by Councillor D. Oraziatti  
Whereas the Wal-Mart property and the proposed Home Depot development cannot be connected with another site project because of a previous agreement, where it states a buffer wall must exist between the two stores for the term of the agreement; and  
Whereas a traffic study report concluded that a full interconnection between the Home Depot site and Wal-Mart site would improve traffic operations at the Second Line and Great Northern Road intersection;  
Therefore be it resolved that Council accepts the Planning staff's earlier advice to Council and authorizes staff to approach the parties and O.M.B. if need be to see if that clause in the agreement could be lifted so an interconnection between the Home Depot site and Wal-Mart site can be pursued for traffic safety concerns in that area. CARRIED.
- (b) Moved by Councillor P. Vaudry  
Seconded by Councillor F. Manzo  
Whereas numerous residents of Bayview recently experienced significant loss or damage to their homes and contents as a result of sewage backup into their basements; and  
Whereas preliminary reports indicate the failure of the pumping system in the Yonge Street Pumping Station which is owned by the City and operated by the Public Utilities Commission and which failure appears to have caused the sewage backup; and  
Whereas City staff and P.U.C. staff, with the assistance of an independent expert, are currently gathering information so as to determine exactly what caused this failure and to ensure steps are being taken to avoid such backups in the future; and  
Whereas accurate and timely information is of the utmost importance for individuals who are faced with the devastating effects of sewage backup into homes;  
Now therefore be it resolved that the "2001 Sewage Flood Action Plan" be updated to reflect any necessary changes and that the Plan and a quick-reference version be forwarded to all of the Bayview residents who have notified the City of recent damage to their homes because of sewage backup; and  
Further that the City and the P.U.C. arrange a meeting with all affected residents once all pertinent information has been received by City Council and the P.U.C. Board regarding the cause of the backup and steps that are being taken to avoid any future failure of pumping equipment. (Notice of such meeting in writing to all such affected homes to be delivered.) CARRIED.

7. (b) 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, B. Irwin, D. Amaroso

Against: Nil

Absent: Nil

- (c) Moved by Councillor P. Vaudry  
Seconded by Councillor D. Orazietti

Whereas the recent 2003 Eco-Challenge North American Championship held in Sault Ste. Marie and surrounding area was a resounding success and served as a showcase for our community and area's many attributes;

Therefore be it resolved that City Council congratulate the 2003 Eco-Challenge North American Championship winners, participants, event organizers, sponsors, volunteers and those providing media coverage for an excellent all round event. CARRIED.

- (d) Moved by Councillor L. Turco  
Seconded by Councillor D. Orazietti

Whereas the Sault Steelers Football team emerged victorious in a hard-fought semi-final game against the Mississauga Wolverines this past weekend; and  
Whereas the Steelers will advance to the Northern Football Conference Championship game against the 10 time defending champions, the Oakville Longhorns this Saturday in Oakville; and

Whereas this season's success is as a direct result of the hard work and determination of all of the team's members and the support that Sault Ste. Marie fans have given over the past year;

Now therefore be it resolved that City Council on behalf of the citizens of Sault Ste. Marie offers its congratulations to the Sault Steelers Football Club on its successful season and its very best wishes for continued success with a championship victory this Saturday in Oakville. 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 B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that all the by-laws listed under item 10 of the Agenda under date 2003 08 11 be approved. CARRIED.

- (a) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-141 being a by-law to authorize a 5 year lease agreement between the City and the 49<sup>th</sup> Field Regiment R.C.A. Historical Society with respect to the Museum be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. CARRIED.
- (b) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-181 being a by-law to provide for advance votes to be held prior to voting day be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. CARRIED.
- (c) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-182 being a by-law to provide for reduced hours of voting in institutions and retirement homes be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. CARRIED.
- (d) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-183 being a by-law to acquire a side yard drainage easement at 1375 Old Garden River Road be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. CARRIED.
- (e) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-184 being a by-law to acquire a side yard drainage easement at 1379 Old Garden River Road be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. CARRIED.
- (f) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-185 being a by-law to provide for the adoption of recovery percentages for the 2003 taxation year be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. CARRIED.

- (g) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-186 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning 65, 67 and 71 Spring Street and 66 March Street be read three times and passed in Open Council this 11<sup>th</sup> day of August, 2003. (Spina Application) CARRIED.
- (h) Moved by Councillor B. Irwin  
Seconded by Councillor D. Amaroso  
Resolved that By-law 2003-187 being a by-law to amend By-law 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for a "Battle of the Bands – A Local Talent Showcase" at the Airport Fairgrounds on September 6 and 7, 2003 be read three times and passed in Open Council this 11<sup>th</sup> day of August, 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 B. Irwin  
Seconded by - Councillor D. Jones  
Resolved that this Council shall now adjourn. CARRIED.

\_\_\_\_\_  
"JOHN ROWSWELL"

**MAYOR**

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"DONNA P. IRVING"

**CLERK**