

## **MINUTES**

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

**2003 04 14**

**5:00 P.M.**

### **COUNCIL CHAMBERS**

**PRESENT:** Mayor J. Rowswell, Councillors D. Jones, J. Caicco, P. Mick, L. Turco, J. Curran, B. Hayes, N. DelBianco, D. Oraziatti, B. Irwin, D. Amaroso

**OFFICIALS:** J. Fratesi, M. White, L. Bottos, B. Freiburger, M. Murray, J. Luszka, P. McAuley, D. McConnell

**ABSENT:** Councillors P. Vaudry, F. Manzo

1. **ADOPTION OF MINUTES**

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2003 03 31 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that the accounts of 2003 03 28 in the amount of \$7,900,644.80 be passed and paid. CARRIED.

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

Councillor P. Mick declared a pecuniary interest – daughter employed by Algoma District School Board.

Councillor J. Curran declared a pecuniary interest – spouse employed by Algoma District School Board.

3. Moved by Councillor N. DelBianco  
Seconded by Councillor P. Mick  
Resolved that the accounts of 2003 04 04 in the amount of \$6,985,495.30 and payrolls properly certified be passed and paid and the payrolls of the periods 2003 03 16 to 2003 03 29 in amounts of Hourly \$1,406,576.12 and Salaried \$356,427.89 as certified and paid be confirmed. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Robert Devoe, representative from the Sault Ste. Marie and District Labour Council and United Steelworkers of America Local 2251 was in attendance concerning Proclamation – Day of Mourning.
- (b) Members of the Community Medical Manpower Recruitment Committee (Dr. Tim Best, Algoma West Academy of Medicine; Gary Dumanski, Chamber of Commerce; Norm Sauve, citizen; Mary Jane York, Coordinator and Jackie Thoms, Northeastern Ontario Medical Education Corporation) were in attendance concerning agenda item 6.(1)(a).
- (c) Dr. Northan, Algoma Health Unit and Mary Ellen Luukkonen, Sault Area Hospital were in attendance concerning SARS.
- (d) Juanita Arbus, Teen Centre was in attendance concerning agenda item 5.(m).

**PART ONE – CONSENT AGENDA**

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

Moved by Councillor L. Turco  
Seconded by Councillor P. Mick  
Resolved that all the items listed under date 2003 04 14 - Part One - Consent Agenda and Addendum #1 be approved as recommended. CARRIED.

- (a) Correspondence from the Chamber of Commerce, the Economic Development Corporation and the Algoma Health Unit supporting the Community Medical Manpower Recruitment Committee were received by Council.
- (b) Correspondence from the Association of Municipalities of Ontario concerning Bill 191 (High Traffic Amendment Act) and O.Reg. 119-03 (Local Improvement Act) was received by Council.

5. (c) The letter from the President, Federation of Canadian Municipalities concerning the infrastructure lobby was received by Council.
- (d) The copy of a letter to the Minister of Municipal Affairs and Housing from the Chair – DSSMSSAB concerning Social Housing Federal Funding Shortfalls was received by Council.
- (e) The letter from the Heritage Canada Foundation to the Mayor concerning a brief on the Historic Places Initiative was received by Council.
- (f) The letter from the General Manager, Canadian Tire, concerning holiday shopping was received by Council.
- (g) The letter from Crime Stoppers requesting funding for road signs was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the request from Crime Stoppers to sponsor five road signs at a total cost of \$50.00 be approved. CARRIED.

- (h) Correspondence from the Town of Lasalle (concerning the Emerald Ash Borer), Haldimand County (concerning Municipal Septage Strategy) and the City of Woodstock (concerning Property Taxation Issues) was received by Council.

(i) **Staff Travel Requests**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the travel requests contained in the report of the Chief Administrative Officer dated 2003 04 14 be approved as requested. CARRIED.

(j) **Tender for Demolition and Removal of Building – Civic No. 289 Queen Street East (Former Algoma Hotel)**

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

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Manager of Purchasing dated April 14, 2003 be endorsed and that the tender for the Demolition and Removal of Building at Civic No. 289 Queen Street East (former Algoma Hotel), required by the Legal Department, be awarded as recommended. CARRIED.

(k) **Tender for Traffic Marking Paint**

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

5. (k) Moved by Councillor N. DelBianco  
Seconded by Councillor P. Mick  
Resolved that the report of the Manager of Purchasing dated April 14, 2003 be endorsed and that the tender for the supply and delivery of Traffic Marking Paint, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

(l) **Tender for Selected Granular Materials**

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

Moved by Councillor L. Turco  
Seconded by Councillor B. Hayes

Resolved that the report of the Manager of Purchasing dated April 14, 2003 be endorsed and that the tender for the supply of Selected Granular Materials and Blast Furnace Slag, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

(m) **Teen Centre – Business Plan**

The report of the Director of Financial Services was accepted by Council.

Moved by Councillor L. Turco  
Seconded by Councillor P. Mick

Resolved that the report of the Director of Financial Services dated April 14, 2003 concerning Teen Centre – Business Plan be accepted as information. CARRIED.

Moved by Councillor B. Hayes  
Seconded by Councillor N. DelBianco

Resolved that Council provide bridge financing in the form of a \$20,000.00 loan to the Teen Centre, conditional on receiving a second mortgage on the property; and

Further resolved that the request for operational funding BE REFERRED to the 2003 Budget deliberations. CARRIED.

(n) **Sports Council**

The report of the Commissioner of Community Services was accepted by Council.

Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes

Resolved that the report of the Commissioner of Community Services dated 2003 04 14 concerning Sports Council be accepted as information. CARRIED.

5. (o) **Sault Ste. Marie Sports Hall of Fame Inductees - 2003**  
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor N. DelBianco  
Seconded by Councillor P. Mick  
Resolved that the report of the Commissioner of Community Services on behalf of the Parks and Recreation Advisory Committee dated 2003 04 14 concerning the Sault Ste. Marie Sports Hall of Fame Inductees – 2003 be accepted and the recommendations contained therein be approved. CARRIED.
- (p) **City Acquisition from Algoma Steel of Lands Located on (1) Yates Avenue and (2) Base Line and Leigh's Bay Road**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-91 is listed under item 10 of the Minutes.
- Mayor J. Rowsell declared a pecuniary interest – Algoma Steel is client of Engineering firm.
- Councillor D. Amaroso declared a pecuniary interest – spouse employed by Algoma Steel Inc.
- (q) **Tourism Designation Under the Retail Business Holidays Act – Letter from Canadian Tire**  
The report of the City Solicitor was accepted by Council.
- Moved by Councillor L. Turco  
Seconded by Councillor B. Hayes  
Resolved that the request of Canadian Tire for expanded holiday shopping be referred back to the City Solicitor for further discussion with the proponent regarding the requirements (both form and substance) of an application for exemption to City Council. CARRIED.
- (r) **Fortification By-law**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-60 is listed under item 10 of the Minutes.
- (s) **Consulting Services – East End Water Pollution Control Plant**  
The report of the Director of Engineering Design and Buildings was accepted by Council. The relevant By-law 2003-87 is listed under item 10 of the Minutes.
- (t) **2002 Annual Report – Planning Advisory Committee**  
The report of the Planning Advisory Committee was accepted by Council.

5. (t) Moved by Councillor L. Turco  
Seconded by Councillor P. Mick  
Resolved that the report of the Planning Advisory Committee dated 2003 04 14 concerning the 2002 Annual Report be accepted as information. CARRIED.
- (u) **Minimum Maintenance Standards for Municipal Highways in Ontario Regulation 239/02**  
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2003 04 07 concerning Minimum Maintenance Standards for Municipal Highways Ontario Regulation 239-02 be accepted as information. CARRIED.
- (v) **Ontario Transit Renewal Program for 2003**  
The report of the Transit Manager was accepted by Council.
- Moved by Councillor N. DelBianco  
Seconded by Councillor P. Mick  
Resolved that the report of the Transit Manager dated 2003 04 08 concerning the Ontario Transit Renewal Program for 2003 and the recommendation contained therein be accepted. CARRIED.
- (w) **Public Works Equipment Needs – 2003**  
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor L. Turco  
Seconded by Councillor B. Hayes  
Resolved that the report of the Commissioner of Public Works and Transportation dated 2003 04 03 concerning the Public Works and Transportation Equipment Needs for 2003 be accepted and the recommendations contained therein be approved. CARRIED.
- (x) Correspondence from Standard and Poor's concerning the City's credit rating was received by Council.
- (y) Correspondence from the Minister of Northern Development and Mines to Mayor Rowswell concerning Northern Mayors Coalition proposals, Northern Communities Capital Assistance Program (NCCAP), economic development and Throne Speech consultations was received by Council.

5. (z) **Animation Centre Concept and Feasibility Study Contract**  
The report of the Planning Division was accepted by Council. The relevant By-law 2003-83 is listed under item 10 of the Minutes.

## **PART TWO – REGULAR AGENDA**

### **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

#### **ADMINISTRATIVE**

- (a) **Community Medical Manpower Recruitment Committee**  
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that Agenda item 6.(1)(a) – Community Medical Manpower Recruitment Committee BE DEFERRED to the 2003 Budget deliberations.  
DEFEATED.

#### **Recorded Vote**

For: Mayor J. Rowsell, Councillors D. Jones, J. Caicco, P. Mick, J. Curran, B. Hayes, N. DelBianco, D. Oraziotti, D. Amaroso

Against: Councillors L. Turco

Absent: Councillors P. Vaudry, F. Manzo

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

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Be it resolved that the report of the Chief Administrative Officer dated 2003 04 14 on behalf of the Community Medical Manpower Recruitment Committee be accepted and the recommendation contained therein be endorsed; and

Further be it resolved that the 2003 Physician Recruitment and Retention Budget in the amount of \$831,730.00 as submitted be endorsed with the sum of \$631,730.00 of 2002 surplus casino proceeds to be transferred to the Physician Recruitment Reserve as requested in accordance with City Council's commitment to address this important community issue; and

Further be it resolved that sincere thanks be passed on to all community members of the Community Medical Manpower Recruitment Committee for their hard work and dedication on behalf of Sault Ste. Marie. CARRIED.

6. (6) **PLANNING**

(a) **Application No. A-11-03-Z – 1022246 Ontario Limited – 254 and 258 Wallace Terrace – Request to Permit Restaurant Plus Two Apartment Units at 254 Wallace Terrace and Parking for Restaurant at 258 Wallace Terrace**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Jones

Seconded by Councillor B. Irwin

Resolved that the report of the Planning Division dated 2003 04 14 concerning Application No. A-11-03-Z – (254 and 258 Wallace Terrace) be accepted and the recommendation that City Council approve the application subject to the conditions contained in the report being amended as follows:

- 1) Increasing the seating capacity of the restaurant from 30 to 40 seats #3
- 2) Deleting condition #5 (fence requirement)
- 3) That the parking area be surfaced with crushed stone or a similar hard and dustless material. CARRIED.

Mayor J. Rowsell declared a pecuniary interest – objector is client of firm.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Planning Division dated 2003 04 14 concerning Application No. A-11-03-Z - 1022246 Ontario Limited be accepted and the recommendation that City Council approve the application subject to the 6 conditions contained in the report be endorsed AS AMENDED. CARRIED.

Mayor J. Rowsell declared a pecuniary interest – objector is client of firm.

(b) **Application No. A-12-03-OP – Stephen Gary Fosberg – 596 Brule Road - Request to Sever the Property to Create One New Residential Lot**

The report of the Planning Division was accepted by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2003 04 14 concerning Application No. A-12-03-OP – Stephen Gary Fosberg be accepted and the recommendation that City Council approve the application subject to the 1 condition contained in the report be endorsed. CARRIED.

(c) **Application No. A-13-03-OP – D. S. Urso Surveying Ltd. – 688 Fifth Line East - Request to Permit Additional Single Family Lots**

The report of the Planning Division was accepted by Council.



6. (6)  
(c) Moved by Councillor N. DelBianco  
Seconded by Councillor P. Mick  
Resolved that the report of the Planning Division dated 2003 04 14 concerning Application No. A-13-03-OP – D. S. Urso Surveying Ltd. be accepted and the recommendation that City Council DEFER this application to the May 12<sup>th</sup>, 2003 Council Meeting be endorsed. CARRIED.

- (d) **Air Cargo Feasibility Study Implementation Phase I**  
The report of the Planning Division and correspondence from the Mayor was received by Council.

Moved by Councillor B. Hayes  
Seconded by Councillor L. Turco  
Resolved that agenda item 6.(6)(d) BE DEFERRED to the April 28, 2003 Council Meeting. CARRIED.

Mover  
Seconded  
Resolved that the report of the Planning Division dated 2003 04 14 concerning the Air Cargo Feasibility Study Implementation Phase I be accepted and the Planning Director's recommendation be endorsed. MOVER AND SECONDER REMOVED NAMES FROM RESOLUTION. OFFICIALLY READ NOT DEALT WITH.

6. (8) **BOARDS AND COMMITTEES**

- (a) **2002 PUC Inc. and 2002 Public Utilities Commissioner Annual Reports**  
The 2002 PUC Inc. Annual Report and 2002 Public Utilities Commission Annual Report were received by Council.

Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that Council appoint Mayor Rowswell as Council's proxy to vote on the resolution of the shareholder of PUC Inc. CARRIED.

7.

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

- (a) Moved by Councillor D. Orazietti  
Seconded by Councillor J. Caicco  
Whereas City Council, by way of resolution dated January 13, 2002, requested the Provincial Minister of Public Safety and Security to meet with City officials and others to discuss the best possible solution to addressing the future facility needs for Young Offenders in Sault Ste. Marie and area; and  
Whereas this request was precipitated by a Provincial announcement that the Sault Ste. Marie Jail, including the newest portion housing the Phase II Young Offenders Unit would be decommissioned and torn down; and  
Whereas City officials have met on several occasions with the Deputy Minister and other Ministry officials in the hope of saving badly needed jobs and what appears to be a perfectly good and useable \$5-7 million facility in our community; and  
Whereas in spite of the City's best advice, the Province is nonetheless determined to proceed with its original plans based on the position that it believes it to be the best "business case" for handling the needs of the Algoma District; and  
Whereas in addition to the loss of as many as 17 civil service positions, Young Offenders from the Algoma District will be transported to and from and housed in Sudbury during court processing and remand as well as following incarceration, thereby denying them the requisite rehabilitative support from family and friends in their own community; and  
Whereas the city is anxious to prove to the Province that their "business case" makes little sense for either our community or for the Province and that the most effective and efficient way of dealing with our community's Young Offenders is in our community; and  
Whereas the City is not satisfied that the costs to renovate the newest portion of the existing jail is cost prohibitive as suggested by Provincial officials;  
Now therefore be it resolved that City Council authorizes an expenditure of no more than \$30,000. from the \$200,000. fund which it established in the Economic Diversification Strategy to lobby and otherwise effectively work with the Province on determining the true cost to renovate the existing jail structure for future Young Offender needs or alternatively to determine the best delivery model which suitably addresses the needs of our community in a cost effective and efficient manner and that appropriate staff report back to Council on a recommended course of action to achieve a reasonable resolve to this important issue. CARRIED.

**Recorded Vote**

For: Mayor J. Rowswell, Councillors D. Jones, J. Caicco, P. Mick, J. Curran, N. DelBianco, D. Orazietti, B. Irwin, D. Amaroso

7. (a) Against: Nil

Absent: Councillors B. Hayes, P. Vaudry, F. Manzo

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

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 N. DelBianco

Seconded by Councillor P. Mick

Resolved that all the by-laws listed under item of the Agenda and Addendum #1 under date 2003 04 14 be approved. CARRIED.

(a) Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that By-law 2003-60 being a by-law to regulate the fortification of land and prohibit fortification of land and to prohibit the application of excessive protective elements to land within the City of Sault Ste. Marie be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.

(b) Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that By-law 2003-83 being a by-law to authorize an agreement with the City and TCI Management Consultants for consulting services for the Sault Ste. Marie Animation Centre be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.

(c) Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that By-law 2003-84 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 14<sup>th</sup> day of April, 2003. CARRIED.

(d) Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that By-law 2003-85 being a by-law to amend By-law 2002-222 concerning appointment of Property Standards Inspectors be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.

10. (e) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-86 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws for the Corporation of the City of Sault Ste. Marie be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.
- (f) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-87 being a by-law to authorize execution of an agreement with Earth Tech Canada Inc. concerning consulting services for the upgrade of the east end water pollution control plant be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.
- (g) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-89 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 1275 Great Northern Road be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. (Laila Bernardo) CARRIED.
- (h) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-90 being a by-law to designate 604 Shannon Road (Block B) as an area of site plan control be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. (Trans-Provincial Freight). CARRIED.
- (i) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-91 being a by-law to authorize the acquisition of lands located on Yates Avenue, Base Line and Leigh's Bay Road from Algoma Steel Inc. be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.

Mayor J. Rowsell declared a pecuniary interest – Algoma Steel is client of Engineering firm.

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

- (j) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-92 being a by-law to amend Schedule F of Traffic By-law 77-200 be read three times and passed in Open Council this 14<sup>th</sup> day of April, 2003. CARRIED.

10. (k) Moved by Councillor N. DelBianco  
Seconded by Councillor B. Hayes  
Resolved that By-law 2003-94 being a by-law to authorize execution of an agreement with George Stone and Sons Ltd. for the construction of a deck and announcer booth at the John Rhodes Community Centre be read three times and passed in Open Council this 14<sup>th</sup> day of April, 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 L. Turco  
Seconded by Councillor P. Mick  
Resolved that this Council shall now adjourn. CARRIED.

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

**MAYOR**

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"DONNA P. IRVING"

**CLERK**