

## **MINUTES**

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

**2003 11 24**

**4:00 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, B. Irwin, D. Amaroso

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

1. **ADOPTION OF MINUTES**

Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that the Minutes of the Regular Council Meeting of 2003 10 20 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor D. Jones

Seconded by Councillor J. Curran

Resolved that the accounts of 2003 10 17 in the amount of \$1,196,697.54 and payrolls properly certified be passed and paid and the payrolls of the periods 2003 09 28 to 2003 10 11 in amounts of Hourly \$1,444,389.66 and Salaried \$328,676.52 as certified and paid be confirmed. CARRIED.

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

Councillor N. DelBianco declared a pecuniary interest – employed by Holiday Inns of Canada.

Councillor D. Amaroso declared a pecuniary interest – employed by Ontario March of Dimes.

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

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the accounts of 2003 10 24 in the amount of \$1,105,634.86 be passed and paid. 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 D. Amaroso

Seconded by Councillor B. Irwin

Resolved that the accounts of 2003 10 31 in the amount of \$1,717,515.08 and payrolls properly certified be passed and paid and the payrolls of the periods 2003 10 12 to 2003 10 25 in amounts of Hourly \$1,440,871.78 and Salaried \$327,260.44 as certified and paid be confirmed. CARRIED.

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

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

Moved by Councillor D. Jones

Seconded by Councillor B. Irwin

Resolved that the accounts of 2003 11 07 in the amount of \$1,242,695.31 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.

3. Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that the accounts of 2003 11 14 in the amount of \$2,784,806.87 and payrolls properly certified be passed and paid and the payrolls of the periods 2003 10 26 to 2003 11 08 in amounts of Hourly \$1,438,897.14 and Salaried \$547,074.56 as certified and paid be confirmed. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

**PART ONE – CONSENT AGENDA**

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

Moved by Councillor D. Amaroso  
Seconded by Councillor J. Curran  
Resolved that all the items listed under date 2003 11 24 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from the Sault North Planning Board to the Minister of Natural Resources concerning the Waste Disposal Crisis – Sault North Planning Area was received by Council.
- (b) Correspondence from the Association of Municipal Tax Collectors of Ontario (concerning request to Provincial Government to allow MPAC the legislative authority to issue supplementary or omitted assessment as a result of registration of a plan of subdivision); the Town of Lasalle (concerning Provincial Government restrictions on smoking in public places) was received by Council.
- (c) **Staff Travel Requests**  
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor D. Jones  
Seconded by Councillor B. Irwin  
Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2003 11 24 be approved as requested. CARRIED.

- (d) **Proposal for the Collection and Disposal of Household Special Waste**  
The report of the Manager of Purchasing was accepted by Council.

5. (d) Moved by Councillor D. Jones  
Seconded by Councillor J. Curran  
Resolved that the report of the Manager of Purchasing dated November 24, 2003 be endorsed and that the proposal for the Collection and Disposal of Household Special Waste, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (e) **Tender for One (1) Self Propelled Ice Resurfacing Machine**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that the report of the Manager of Purchasing dated November 24, 2003 be endorsed and that the tender for the supply and delivery of One (1) Self Propelled Ice Resurfacing Machine, required by the Community Services Department be awarded as recommended. CARRIED.
- (f) **Tenders for Automotive Supplies and Tire Services**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Amaroso  
Seconded by Councillor J. Curran  
Resolved that the report of the Manager of Purchasing dated November 24, 2003 be endorsed and that the tenders for the supply of Automotive Supplies and Tire Services, required by the various City Departments and cooperatively PUC Services Inc., be awarded as recommended. CARRIED.
- (g) **Tender for Oils, Greases and Gear Lubricants**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Jones  
Seconded by Councillor B. Irwin  
Resolved that the report of the Manager of Purchasing dated November 24, 2003 be endorsed and that the tender for the supply and delivery of Oils, Greases and Gear Lubricants, required by the various City Departments and cooperatively PUC Services Inc., be awarded as recommended. CARRIED.
- (h) **Tender for Petroleum Products**  
The report of the Manager of Purchasing was accepted by Council.

5. (h) Moved by Councillor D. Jones  
Seconded by Councillor J. Curran  
Resolved that the report of the Manager of Purchasing dated November 24, 2003 be endorsed and that the tender for the supply and delivery of Petroleum Products, required by the various City Departments and cooperatively PUC Services Inc., be awarded as recommended. CARRIED.
- (i) **Vacant Unit Tax Rebate Program – Commercial and Industrial Properties**  
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that pursuant to Section 364 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report dated 2003 11 24 concerning Vacant Unit Tax Rebate Program – Commercial and Industrial Properties be approved and the tax records be amended accordingly. CARRIED.
- (j) **Property Tax Appeals**  
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor D. Amaroso  
Seconded by Councillor J. Curran  
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report dated 2003 11 24 concerning Property Tax Appeals be approved and the tax records be amended accordingly. CARRIED.
- (k) **Civic No. 84 Shannon Road – Residential Standards**  
The Commissioner of Engineering and Planning verbally advised Council of the status of the residential standards order on this property. He advised that the residence is vacant and that one outstanding repair item still remains to be completed by the owner. No action of Council was requested at this time.
- (l) **Emergency Sanitary Sewer Main Repairs on Huron Street**  
The report of the Director of Engineering Design and Buildings was accepted by Council.
- Moved by Councillor D. Jones  
Seconded by Councillor B. Irwin  
Resolved that the report of the Director of Engineering Design and Buildings dated 2003 11 24 concerning Emergency Sanitary Sewer Main Repairs on Huron Street be accepted and the recommendation that City Council confirm the authorization for the necessary repairs at an estimated cost of \$100,000.00 with funds from the Sewer Surcharge Account be approved. CARRIED.

5. (m) **PUC Services Inc. – Communications Tower**  
The report of the Director of Engineering Design and Buildings was accepted by Council.
- Moved by Councillor D. Jones  
Seconded by Councillor J. Curran  
Resolved that the report of the Director of Engineering Design and Buildings dated 2003 11 24 concerning PUC Services Inc. – Communications Tower at 510 Second Line East be accepted as information. CARRIED.
- (n) **Urban Service Line Extension – Fourth Line East Servicing**  
The report of the Director of Engineering Design and Buildings was accepted by Council.
- Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that the report of the Director of Engineering Design and Buildings dated 2003 11 24 concerning Urban Service Line Extension – Fourth Line East Servicing be accepted and the recommendation that municipal water be extended along that section of Fourth Line between Great Northern Road and Civic No. 695 be approved. CARRIED.
- (o) **Sale of City-Owned Property at 12 Second Line West – Northwest Corner of Second Line and Peoples Road**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-235 is listed under item 10 of the Minutes.
- (p) **Licence to Occupy City Property – Nunzio and Maria Scaglioni – 85 Nichol Avenue**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-234 is listed under item 10 of the Minutes.
- (q) **Licence to Occupy City Property – Barbisan Roofing Inc.**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-233 is listed under item 10 of the Minutes.
- (r) **Sale of Property by the City to the Sault Ste. Marie Economic Development Corporation – 71 Old Garden River Road – Loan Agreement Between City and Economic Development Corporation Regarding Development of an E Commerce Centre**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2003-232 is listed under item 10 of the Minutes.
- Mayor J. Rowswell declared a pecuniary interest – Caughill Consulting, Architect for the Project is a client of Engineering firm.

5. (s) **Arno Beltz – 1087 Fourth Line East – Application No. A-23-03-OP – By-law 2003-226**

The report of the City Solicitor was accepted by Council. The relevant By-law 2003-226 is listed under item 10 of the Minutes.

(t) **Application No. A-28-03-Z – Rita Markhoff – 256 Beverley Street – Withdrawl of Request to Legalize the Existing Apartment in the Converted Garage**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Planning Division dated 2003 11 24 concerning Application No. A-28-03-Z – Rita Markhoff be accepted and the Planning Director's recommendation that no further action be taken on this application as a result of the applicant withdrawing the application be endorsed. CARRIED.

(u) **Waste Bag Tag Distribution**

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

Moved by Councillor D. Jones

Seconded by Councillor B. Irwin

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2003 11 19 concerning the Waste Bag Tag Distribution be accepted and the recommendation contained therein be approved. CARRIED.

**Recorded Vote**

For: Councillors D. Jones, P. Vaudry, J. Caicco, P. Mick, L. Turco, J. Curran, B. Hayes, N. DelBianco, B. Irwin, D. Amaroso

Against: Mayor J. Rowsell, Councillor F. Manzo

Absent: Nil

(v) **Science Works! Concept and Feasibility Study**

The report of the Planning Division was accepted by Council.

5. (v) Mover Councillor D. Jones  
Seconded Councillor J. Curran  
Resolved that the report of the Planning Division dated 2003 11 24 concerning Science Works! Concept and Feasibility Study be accepted and the recommendation that City Council authorize an agreement with Metropolitan Knowledge International to undertake and complete the Science Works! Concept and Feasibility Study at an estimated cost of \$79,700.00 be endorsed. CARRIED.
- (w) Correspondence from PUC Services Inc. concerning the sale of the Water Tower was received by Council.

## **PART TWO – REGULAR AGENDA**

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

- (a) Mover - Councillor B. Irwin  
Seconded - Councillor D. Jones  
Resolved that agenda item 7.(a) [MCTV / CRTC] BE DEFERRED to the December 15, 2003 Council Meeting in order that the “new” City Council have an opportunity to consider this item. WITHDRAWN BY MOVER/SECONDER.

#### **Notice of Motion**

Mover - Councillor F. Manzo

Seconded - Councillor N. DelBianco

Whereas on Election night November 10, 2003, MCTV provided very poor televised results of election of all candidates; and  
Whereas there were many people who were dissatisfied with the poor reception; and

Whereas MCTV have two TV networks, CTV on channel 2 and CBC on channel 5 and whereas on both these networks there is limited news of this city since MCTV operates from Sudbury;

Therefore be it resolved that City Council of Sault Ste. Marie contact the CRTC to have MCTV relinquish one of its networks either CBC or CTV in order that some other people may purchase one of the TV stations and provide the city of Sault Ste. Marie patrons who watch TV immediate local news; and further that this resolution be forwarded to M.P.P.'s David Oraziatti and Michael Brown and M.P.'s Carmen Provenzano and Brent St. Denis.

### **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 D. Amaroso

Seconded by Councillor B. Irwin

Resolved that all the by-laws listed under item 10 of the Agenda under date 2003 11 24 be approved. CARRIED.

(a) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 2003-226 being a by-law to authorize an agreement between the City and Arno Beltz with respect to the Wishart Park driveway be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.

(b) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 2003-227 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 24<sup>th</sup> day of November, 2003. CARRIED.

(c) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 2003-228 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.

(d) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 2003-229 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning lands located at 59 Lansdowne Avenue be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. (Hinich and Wolfert) CARRIED.

(e) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 2003-230 being a by-law to authorize the acquisition of a portion of civic address 170 Second Line West as part of the Second Line road widening project be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.

10. (f) Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that By-law 2003-232 being a by-law to authorize a loan agreement between the City and the Sault Ste. Marie Economic Development Corporation regarding the development of an E-Commerce Centre at 71 Old Garden River Road be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.

Mayor J. Rowswell declared a pecuniary interest – Caughill Consulting, Architect for the Project is a client of Engineering firm.

- (g) Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that By-law 2003-233 being a by-law to authorize a licence of occupation between the City and Barbisan Roofing Inc. concerning the use of City property adjacent to 768 Shafer Avenue be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.
- (h) Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that By-law 2003-234 being a by-law to authorize a licence of occupation between the City and Nunzio and Maria Scaglione concerning the use of City property adjacent to 85 Nichol Avenue be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.
- (i) Moved by Councillor D. Amaroso  
Seconded by Councillor B. Irwin  
Resolved that By-law 2003-235 being a by-law to authorize the transfer to Ruscio Developments of Part 2, Plan IR-8516 being the northwest corner of Second Line West be read three times and passed in Open Council this 24<sup>th</sup> day of November, 2003. CARRIED.

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

12. **SPECIAL AGENDA ITEM**

Mayor Rowswell conducted a Remembrance Tribute to the late Tom Austin, Tom Gillespie and Charles Swift. Bagpiper Cliff Graham played the funeral lament "Flowers of the Forest".

13. (a) Moved by Councillor D. Jones  
Seconded by Councillor J. Curran  
Resolved that this Council shall now go into Caucus to discuss one labour relations item and one legal (solicitor-client privilege) matter. CARRIED.

14. **ADJOURNMENT**

Moved by Councillor D. Jones  
Seconded by Councillor B. Irwin  
Resolved that this Council shall now adjourn. CARRIED.

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"JOHN ROWSWELL"

**MAYOR**

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"DONNA P. IRVING"

**CLERK**