

MINUTES

REGULAR MEETING OF CITY COUNCIL

1999 11 29

5:00 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor S. Butland, Councillors R. Niro, M. Borowicz, J. Curran, D. Jones, D. Oraziotti, P. Vaudry, C. Swift, D. Amaroso, D. Brandt, B. Irwin, S. Lepore, M. Pascuzzi

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, N. Apostle, W. Lamming, 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 1999 11 15 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the accounts of 1999 11 12 in the amount of \$1,790,715.85 and payrolls properly certified be passed and paid and the payrolls of the periods 1999 10 31 to 1999 11 13 in the amounts of Hourly \$1,221,725.05 and Salaried \$470,156.76 as certified and paid be confirmed. CARRIED.

Councillor P. Vaudry declared a pecuniary interest – employed by Algoma Steel Inc.

Moved by Councillor D. Jones

Seconded by Councillor B. Irwin

Resolved that the accounts of 1999 11 19 in the amount of \$984,132.18 be passed and paid. CARRIED.

Councillor R. Niro declared a pecuniary interest – employed by Work Wear Corporation of Canada.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Kate Adams, Executive Director, Algoma AIDS Network, was in attendance concerning the Proclamation – AIDS Awareness Week.
- (b) Vance Boulet and Scott Kennedy, OPSEU Local 670, Northern Treatment Centre were in attendance concerning agenda item 5.(a).
- (c) Frank Provenzano, David Gibson and Mark Kindrachuk, on behalf of First Gulf Development Corporation; Bill Schauer, Wisconsin Central; and Richard Ciotti, Chamber of Commerce, were in attendance concerning the Gateway Project.
- (d) Frank Provenzano was in attendance concerning agenda item 6.(6)(a).
- (e) Mr. Dovigi and Mr. Otello Erme, resident of 319 Alexandra Street, were in attendance concerning agenda item 6.(6)(b).
- (f) Frank Sarlo was in attendance concerning agenda item 6.(6)(c).
- (g) Art Pluss and Darryl Maahs 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 D. Jones

Seconded by Councillor J. Curran

Resolved that all the items listed under date 1999 11 29 - Part One - Consent Agenda save and except Agenda items 5.(a); 5.(p) – deferral; and 5.(v), be approved as recommended. CARRIED.

- (a) The letter from the President, Local 670 Northern Treatment Centre, concerning the operation of the Treatment Centre was received by Council as information.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that City Council support the position of OPSEU, Local 670 Northern Treatment Centre detailed in the letter dated November 16, 1999 and further that City Council urge the Provincial and Federal Governments to ensure that the Northern Treatment Centre continue its present operations as a treatment centre. CARRIED.

- (b) The letter from the Team Captain, Sault Ste. Marie Combat Challenge, thanking City Council for its support of the event was received by Council as information.

(c) **Tender for Oils, Greases & Gear Lubricants**

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 1999 11 23 be endorsed and that the tender for the supply and delivery of Oils, Greases and Gear Lubricants, as required by the various City Departments and cooperatively the Public Utilities Commission, be awarded as recommended. CARRIED.

(d) **Tender for Playground Equipment**

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 1999 11 17 be endorsed and that the tender for the supply and delivery of Playground Equipment required by the Parks Division, be awarded as recommended. CARRIED.

(e) **Tender for Microsoft Software**

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

Moved by Councillor D. Jones

Seconded by Councillor J. Curran

Resolved that the report of the Manager of Purchasing, dated 1999 11 23 be endorsed and that the tender to supply Microsoft Software required by our Information Systems Division, be awarded as recommended. CARRIED.

(f) **Tender for Petroleum Products**

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 1999 11 17 be endorsed and that the tender for the supply and delivery of Petroleum Products, as required by the various City Departments and cooperatively the Public Utilities Commission, be awarded as recommended. CARRIED.

(g) **Tender for Arena Lounge Fitups – John Rhodes Community Centre**

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 1999 11 23 be endorsed and that the tender to construct the Arena Lounge Fitups at the John Rhodes Community Centre and the proposal for the supply and installation of Sound & Video Systems in various areas within the John Rhodes Community Centre, be awarded as recommended. CARRIED.

(h) **R.F.P. for Contract Furniture – Arena Lounge – John Rhodes Community Centre**

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

Moved by Councillor D. Jones

Seconded by Councillor J. Curran

Resolved that the report of the Manager of Purchasing, dated 1999 11 23 be endorsed and that the proposal for the supply and installation of Contract Furniture required for the Arena Lounge at the John Rhodes Community Centre, be awarded as recommended. CARRIED.

(i) **Tax Appeals – Section 441 & 442**

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 441 and 442 of the Municipal Act, R.S.O. 1990, the adjustments for tax accounts outlined on the City Tax Collector's reports of 1999 11 15 be approved and the tax records be amended accordingly. CARRIED.

(j) **Staff Travel Requests**

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

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 1999 11 29 be approved. CARRIED.

(k) **Trans Canada Trail Pavilion**

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 under date 1999 11 24 concerning Trans Canada Trail Pavilion be accepted and the recommendation that Council authorize the placement of a Trans Canada Trail Pavilion in Clergue Park or an alternative location along the boardwalk; and further that the existing St. Mary's Boardwalk be designated part of the Voyageur and Trans Canada Trails, be endorsed. CARRIED.

(l) **City Acquisition of Roberta Bondar Marina from Federal Department of Fisheries and Oceans**

The report of the Supervisor, Project Development was accepted by Council. The relevant by-law 99-214 is listed under Item 10 of the Minutes.

(m) **2000 Ontario Winter Games - Update**

The report of the Manager Recreation and Culture was accepted by Council.

Moved by Councillor D. Jones
Seconded by Councillor B. Irwin

Resolved that the report of the Manager Recreation and Culture under date November 17, 1999 concerning the 2000 Ontario Winter Games be accepted as information. CARRIED.

(n) **Engineering Agreement – River Road Waterfront Problems**

The report of the Director of Engineering Design and Buildings was accepted by Council. The relevant by-law 99-220 is listed under Item 10 of the Minutes.

(o) **Engineering Agreement – Fort Creek Aqueduct Inlet Improvements**

The report of the Director of Engineering Design and Buildings was accepted by Council. The relevant by-law 99-221 is listed under Item 10 of the Minutes.

(p) **Lease of City Property at Four Municipal Parking Lots for Advertising Signs**

The report of the City Solicitor was received by Council.

Moved by Councillor B. Irwin
Seconded by Councillor M. Pascuzzi
Resolved that Agenda item 5.(p) (Lease of City Property at Four Municipal Parking Lots for Advertising Signs) **BE DEFERRED** to a future Council Meeting until after the “arena issue” has advanced to a later stage of development.
CARRIED.

Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that the report of the City Solicitor dated 1999 11 29 respecting leasing of space on City owned parking lots for billboard advertising signs be accepted and the recommendation that City parking lots not be made available for leasing for billboard type advertising signs, be approved. OFFICIALLY READ NOT DEALT WITH.

(q) **Proposed Sale to Jerry and Linda Dottor – Land Abutting 41 Fairmount Avenue**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-228 is listed under Item 10 of the Minutes.

(r) **Purchase from Ken Madill – Trelawne Avenue – Access to Sanitary Sewer**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-227 is listed under Item 10 of the Minutes.

(s) **Grant of Easement to Public Utilities Commission Adjacent to New Lock City Dairies Development**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-216 is listed under Item 10 of the Minutes.

(t) **Y2K Preparedness**

The report of the Solicitor was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Solicitor dated 1999 11 29 concerning Y2K Preparedness be accepted as information. CARRIED.

(u) **Ontario Municipal Board Hearing Into Zoning By-law 99-117 – First Professional Management Inc. (Big Box)**

The report of the City Solicitor was accepted by Council.

Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that the report of the City Solicitor dated 1999 11 29 concerning Ontario Municipal Board Hearing into Zoning By-law 99-117, First Professional Management Inc. (Big Box Stores) be accepted as information. CARRIED.

- (v) **Snowmobile Route in Bellevue Estates Subdivision**
The report of the City Solicitor was accepted by Council.

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the City Solicitor dated 1999 11 29 concerning Snowmobile Route in Bellevue Estates Subdivision be accepted as information. CARRIED.

- (w) **Council Travel**

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Be It Resolved that Councillor Swift be authorized to travel to Sudbury December 3rd to attend a Committee of FONOM Meeting. CARRIED.

- (x) **Sanitary Sewer Investigative Study**
The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor D. Jones
Seconded by Councillor D. Oraziatti
Resolved that the report of the Commissioner of Engineering and Planning dated 1999 11 26 concerning Sanitary Sewer Investigative Study be accepted as information. CARRIED.

- (y) **Lane Closing Application – Byrne Subdivision**
The report of the City Solicitor was accepted by Council. The relevant by-law 99-229 is listed under item 10 of the Minutes.

PART TWO - REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) Application No. A-35-99-Z.OP—Request to Amend Zoning By-law – 812 Frontenac Street – James H. See and Rollande See

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 under date 1999 11 26 concerning Application No. A-35-99-Z.OP – James H. See and Rollande See be accepted and the recommendation that City Council approve the application subject to the 4 conditions contained in the report, be endorsed. CARRIED.

(b) Application No. A-36-99-Z—Request to Amend Zoning By-law – 303 and 321 Cathcart Street – Irma Giovanatti

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Jones

Seconded by Councillor J. Curran

Resolved that the report of the Planning Division under date 1999 11 17 concerning Application No. A-36-99-Z – Irma Giovanatti be accepted and the recommendation that City Council approve the application subject to the 3 conditions contained in the report, be endorsed. CARRIED.

(c) Application No. A-37-99-Z—Request to Amend Zoning By-law – 560 Great Northern Road – J.J.'s Hospitality Limited

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that the report of the Planning Division under date 1999 11 17 concerning Application No. A-37-99-Z – J.J.'s Hospitality Limited be accepted and the recommendation that City Council approve the application subject to the 3 conditions contained in the report, be endorsed. CARRIED.

Councillor M. Borowicz declared a pecuniary interest – daughter employed part-time by Sarlo O'Neill.

7.

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

- (a) Moved by Councillor M. Borowicz
Seconded by Councillor P. Vaudry
Whereas the majority of residents in the Birkshire area are strongly opposed to the "new City Snowmobile Corridor Trail" as presented to City Council on November 30, 1998 and
Whereas the residents totally disagree with the process,
Therefore Be It Resolved that members of City Council support revisiting this matter by placing this issue on our next regularly scheduled Council Meeting (December 13, 1999) in order to allow the residents of Birkshire Place an opportunity to attend our meeting and voice their concerns. DEFEATED.

Recorded Vote

For: Councillors M. Borowicz, P. Vaudry, D. Brandt, M. Pascuzzi

Against: Mayor S. Butland, Councillors R. Niro, J. Curran, D. Jones, D. Orazietti, C. Swift, D. Amaroso, B. Irwin, S. Lepore

- (b) Moved by Councillor C. Swift
Seconded by Councillor D. Brandt
Whereas the Canadian Bond Rating Service has provided a copy of their recent report on the financial affairs of the City of Sault Ste. Marie; and
Whereas their opinions regarding the City's approach to such financial management, and their pegging our rating at BBB+, are quite informative and interesting;
Then Be It Resolved that the Treasurer's Department be requested to provide Council with a report containing their reaction to that information provided by the Canadian Bond Rating Service. CARRIED.
- (c) Correspondence from Councillors D. Orazietti and P. Vaudry requesting a Municipal Services Comparative Study was accepted by Council.

Moved by Councillor D. Orazietti

Seconded by Councillor P. Vaudry

Whereas the information proposed in the Municipal Services Study, which identifies key service cost comparators, will assist Council in making informed decisions regarding numerous areas of service;

And whereas it is in the interest of residents of Sault Ste. Marie to have fair and competitive rates for municipal services;

Therefore Be It Resolved that the proposed study be accepted and that the C.A.O. and appropriate City Departments be requested to provide information on the ten primary categories of comparison for the February 21, 2000 Council Meeting. 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 D. Amaroso

Seconded by Councillor B. Irwin

Resolved that all the by-laws listed under item 10 of the Agenda under date 1999 11 29 be approved.

(a) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 99-143 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands at 82 Pittsburg Avenue and FURTHER BE IT RESOLVED that By-law 99-222 being a by-law to designate 82 Pittsburg Avenue an area of site plan control be read three times and passed in Open Council this 29th day of November, 1999. (Marcel Lamoureux). CARRIED.

(b) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 99-214 being a by-law to authorize the acquisition of the Roberta Bondar Marina (Transient Facility) from Her Majesty the Queen in Right of Canada as represented by the Minister of Fisheries and Oceans be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.

(c) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 99-215 being a by-law to appoint Municipal Law Enforcement Officers to enforce by-laws on various properties and to amend Schedule "A" to By-law 99-305 be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.

(d) Moved by Councillor D. Amaroso

Seconded by Councillor B. Irwin

Resolved that By-law 99-216 being a by-law to grant an easement to the Public Utilities Commission on property at 920 McNabb Street be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.

- (e) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-217 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 294 Third Line East be read three times and passed in Open Council this 29th day of November, 1999. (Dale and Cathy McLeod). CARRIED.
- (f) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-218 being a by-law to regulate the hours of operation for Bellevue Park be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (g) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-219 being a by-law to amend Schedule Z to Traffic By-law 77-200 be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (h) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-220 being a by-law to authorize an agreement with the City and STEM Engineering Group Incorporated to provide waterfront cleanup services be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (i) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-221 being a by-law to authorize an agreement with the City and STEM Engineering Group Incorporated to install a storm inlet structure on the Fort Creek Box Culvert at John Street south of the railway tracks be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (j) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-223 being a by-law to authorize an agreement with the Community Services, Local No. 3, Canadian Union of Public Employees for the period commencing February 1, 1999 to January 31, 2002 be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.

- (k) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-224 being a by-law to authorize an agreement with the Public Works, Local No. 3, Canadian Union of Public Employees for the period commencing February 1, 1999 to January 31, 2002 be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (l) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-225 being a by-law to authorize an agreement dated January 1, 2000 with Canada Waste Systems Inc. with respect to refuse collection be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (m) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-226 being a by-law to authorize an agreement with Local No. 67, Canadian Union of Public Employees for the period commencing February 1, 1999 to January 31, 2002 be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.
- (n) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-227 being a by-law to authorize an acquisition of a small parcel of land from Ken Madill of Trelawne Avenue be read three times and passed in Open Council this 29th day of November, 1999. The monies for the acquisition will be coming from the account established for Property Transactions. CARRIED.
- (o) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-228 to authorize the sale of a triangular piece of property to the owners of 41 Fairmount Avenue be read three times and passed in Open Council this 29th day of November, 1999. The monies from this sale will be transferred to the Property Purchases Reserve Fund. CARRIED.
- (p) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-229 being a by-law to assume for public use and establish as a public lane, a lane in the Byrne Subdivision, Plan 1489 be read three times and passed in Open Council this 29th day of November, 1999. CARRIED.

- (q) Moved by Councillor D. Amaroso
Seconded by Councillor B. Irwin
Resolved that By-law 99-230 being a by-law to stop up, close and authorize the conveyance of a lane in the Byrne Subdivision, Plan 1489 be read a first and second time this 29th day of November, 1999. CARRIED.

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

- (a) Moved by Councillor D. Jones
Seconded by Councillor B. Irwin
Resolved that this Council shall now go into Caucus to discuss 2 labour relations and one legal (possible land acquisition) matter. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that this Council shall now adjourn.

"MAYOR STEPHEN E. BUTLAND
MAYOR

"DONNA P. IRVING"
CLERK