

MINUTES

REGULAR MEETING OF CITY COUNCIL

1999 10 18

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, W. Freiburger, M. Brechin, D. McConnell, J. Luszka, N. Kenny

1. **ADOPTION OF MINUTES**

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the Minutes of the Regular Council Meeting of 1999 10 04 be approved. CARRIED

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that the accounts of 1999 10 08 in the amount of \$6,258,981.51 and payrolls properly certified be passed and paid and the payrolls of the periods 1999 09 18 to 1999 10 02 in amounts of Hourly \$1,371,019.59 and Salaried \$474,169.32 as certified and paid be confirmed. CARRIED

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

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that the accounts of 1999 10 01 in the amount of \$10,020,904.00 be passed and paid. CARRIED

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

Councillor D. Oraziotti declared a pecuniary interest – employed by Algoma District School Board.

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

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

4.

DELEGATIONS/PROCLAMATIONS

- (a) Julie Gardiner, Vice President, Council for Exceptional Children, was in attendance concerning the Proclamation - Council for Exceptional Children Week.
- (b) Pat Houston, Treasurer, Ontario Block Parent Program, was in attendance concerning the Proclamation – Block Parent Week
- (c) Leslie Cook and Mr. Ingram were in attendance concerning item 5.(a) – Portable Sign By-law.
- (d) Bryan Hogan and Udo Rauk were in attendance concerning item 5.(b) – Heritage Square Request.
- (e) Daria Babaie, Vice-President, D.T.E./Probyn, was in attendance concerning item 6.(8)(a) – Restructuring of the Sault Ste. Marie Public Utilities Commission.
- (f) Frank Provenzano and Donald Churchill were in attendance concerning item 6.(6)(a) – Planning Application No. A-35-99-Z.
- (g) Frank Sarlo was in attendance concerning item 6.(5)(a) – Shared Parking Agreement for 89 Foster Drive – Docks Riverside Grill.
- (h) Gord Acton, Mr. Giommi and Ian Thompson were in attendance concerning item 7.(c).

PART ONE - CONSENT AGENDA

5.

COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that all the items listed under date 1999 10 18 - Part One - Consent Agenda be approved as recommended, save and except 5.(a); 5.(b); and 5.(o).
CARRIED

- (a) The letter from Leslie Cook concerning the Portable Sign By-law was received by Council as information.
- (b) The letter from Bryan Hogan on behalf of members of Heritage Square concerning a request to withdraw from the Queenstown Association was received by Council. The letter from the Queenstown Association was received by Council.

Moved by Councillor C. Swift

Seconded by Councillor J. Curran

Resolved that agenda item 5.(b) Request from Heritage Square to Withdraw from Queenstown Association BE DEFERRED in order to allow an opportunity for the Queenstown Association to meet with the merchants of Heritage Square, and for the City Solicitor to provide a report that outlines options that are open to Council for consideration. CARRIED

- (c) Correspondence from the Municipality of Chatham-Kent concerning the agri-food sector was received by Council as information.
- (d) Correspondence from Human Resources Development Canada concerning a Sault Ste. Marie and Area Labour Market Review was received by Council as information.
- (e) The letter from Ron Barbaro, Chair and Chief Executive Officer, Ontario Casino Corporation, concerning municipal funding was received by Council as information.
- (f) Correspondence from the Township of Baldwin concerning the spring bear hunt was received by Council as information.
- (g) The letter from the 1999 Santa Claus Parade Marshal concerning street closures for the parade being held on November 20th was considered by Council. The relevant by-law 99-206 is listed under Item 10 of the Minutes.

- (h) Correspondence from the City Solicitor concerning Halloween was received by Council as information.

(i) **Quotation for Membrane Roof Replacement – No. 1 Fire Hall**

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

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the Report of the Manager of Purchasing, dated 1999 10 07 be endorsed and that the quotation for the supply and installation of a new Membrane Roofing System at No. 1 Fire Hall, be awarded as recommended.

CARRIED

(j) **Proposal for Lease of Photocopiers**

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

Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that the Report of the Manager of Purchasing, dated 1999 10 12 be endorsed and that the proposal to lease our Decentralized Convenience Copiers, be awarded as recommended. CARRIED

(k) **Tender for Routing & Crackfilling**

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

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that the Report of the Manager of Purchasing, dated 1999 10 12 be endorsed and that the tender to perform Routing and Crackfilling on Second Line and Airport Road as required by our Engineering Department, be awarded as recommended. CARRIED

(l) **Staff Travel Requests**

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

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that the travel requests contained in the report of the Chief Administrative Officer dated 1999 10 18 be approved. CARRIED

(m) **Revised Final 1999 Tax Due Dates for Capped Properties**

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

Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that the report of the Commissioner of Finance and Treasurer dated 1999 10 08 concerning Revised Final 1999 Tax Due Dates for Capped Properties be accepted as information. CARRIED

(n) **Memorandum of Settlement**

The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that the report of the Commissioner of Human Resources dated 1999 10 18 concerning Collective Bargaining – Memoranda of Settlement be accepted and further that the Memoranda of Settlement between the United Steelworkers Local 2251 – Transit Mechanics and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-law be presented at a future Council Meeting. CARRIED

(o) **Military Leave**

The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor R. Niro
Seconded by Councillor D. Brandt
Resolved that the report of the Commissioner of Human Resources dated 1999 10 18 in response to a previous Council resolution concerning Military Leave be endorsed and approved as recommended. DEFEATED

Moved by Councillor B. Irwin
Seconded by Councillor D. Oraziatti
Be It Resolved that Council agrees that a Leave for Reserve Duties shall not be considered “employment with another employee”;
And to “top-up” wages for employees who take leave to serve in the Reserves, for up to two weeks per year;
And that this commitment be reviewed in two years. CARRIED

(p) **Strategic Planning Exercise**

The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz
Resolved that the report of the Commissioner of Human Resources dated 1999 10 05 concerning Strategic Planning Exercise be endorsed and approved as recommended. CARRIED

(q) **Facility Agreement**

The report of the Recreation Assistant was accepted by Council. The relevant by-law 99-205 is listed under Item 10 of the Minutes.

(r) **Sixth Line Bridge Construction**

The report of the Director of Engineering Design & Buildings was accepted by Council.

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that the report of the Director of Engineering Design & Buildings dated 1999 09 30 concerning Sixth Line Bridge Construction be accepted and the recommendation therein, be approved. CARRIED

Councillor D. Jones declared a pecuniary interest – employed by affiliate.

(s) **Engineering Agreement – Gateway Site Servicing**

The report of the Director of Engineering Design & Buildings was accepted by Council. The relevant by-law 99-191 is listed under Item 10 of the Minutes.

(t) **Request from Sault Ste. Marie Innovation Centre to Use the City's Name**

The report of the City Solicitor was accepted by Council.

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that the Corporation of the City of Sault Ste. Marie consents to the use of the words "Sault Ste. Marie" in the name of the proposed corporation to be known as "Sault Ste. Marie Innovation Centre" be READ THREE times and PASSED in open Council this 18th day of October, 1999. CARRIED

(u) **Snow Dump Site – 692 Goulais Avenue – Purchase from Mario and Emma Naccarato**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-198 is listed under Item 10 of the Minutes.

(v) **City Property at Northwest Corner of Bruce & Wellington Streets**

The report of the City Solicitor was accepted by Council.

Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that the report of the City Solicitor dated 1999 10 18 respecting City property at the northwest corner of Bruce and Wellington Streets be accepted and the recommendation contained therein be endorsed. CARRIED

(w) **Tender for Arena Concession Fitups – John Rhodes Community Centre**

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

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the report of the Manager of Purchasing, dated 1999 10 14 be endorsed and that the tender to construct the Arena Concession Area at the John Rhodes Community Centre, be awarded as recommended. CARRIED

(x) **Departmental Presentations**

The report of Mayor Stephen E. Butland was received by Council as information.

(y) Correspondence from CN Rail concerning train whistling at public crossings was received by Council as information.

PART TWO - REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (5) LEGAL

(a) **Shared Parking Agreement for 89 Foster Drive – Docks Riverside Grill**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-197 is listed under Item 10 of the Minutes.

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

(b) **Motorized Water Craft on Pointe Louise**

The report of the Solicitor was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor M. Pascuzzi

Resolved that the report of the Solicitor dated 1999 10 18 concerning Motorized Water Craft on Pointe Louise be accepted and further that the Legal Department be instructed to apply through the Ministry of Natural Resources that the following restrictions be imposed on water craft at Pointe Louise: maximum – 10 km per hour (6 miles per hour). CARRIED

6. (6) **PLANNING**

- (a) **Application No. A-35-99-Z – 812 Frontenac Street – Subject property be rezoned by way of a further Special Exception to the existing “R.A.” (Rural Area) zone with a Special Exception (#585)**

The report of the Planning Division was accepted by Council.

Moved by Councillor C. Swift

Seconded by Councillor D. Oraziotti

Resolved that agenda item 6.(6)(a) BE AMENDED by including a wider notification of public hearing to area residents on Frontenac Street. CARRIED

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the report of the Planning Division under date 1999 10 08 concerning Application No. A-35-99-Z – James H. See and Rollande See be accepted and the Planning Director's recommendation, be endorsed, AS AMENDED. CARRIED

- (b) **Portable Sign By-law**

The report of the Planning Division was accepted by Council.

Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that the report of the Planning Division under date 1999 10 13 concerning the Portable Sign By-law be accepted and the recommendation that City Council accept the report as information, be endorsed. CARRIED

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

- (a) **Restructuring of the Sault Ste. Marie Public Utilities Commission**

The report of the Steering Committee was accepted by Council.

Moved by Councillor C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that the report of the Steering Committee for Restructuring of the Sault Ste. Marie Public Utilities Commission dated October 12, 1999 be accepted and the recommendations contained in Section 7 of the report, be approved. CARRIED

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

- (a) Moved by Councillor P. Vaudry
Seconded by Councillor M. Borowicz
Whereas the members of the Restaurant/Bar Association have indicated a willingness to continue discussions with the Algoma Health Unit regarding amendments to our Smoking By-law, and;
Whereas there is no requirement to have this by-law passed prior to December 31, 1999,
Therefore Be It Resolved that resolution 7.(a) BE DEFERRED until these discussions are allowed to reach a favourable compromise and that the results of their deliberations be presented to Council prior to March 1, 2000. CARRIED

Moved by Councillor C. Swift
Seconded by Councillor D. Brandt
Be It Resolved that if the suggested amendment to our Smoking By-law has not been resolved to the satisfaction of both the Algoma Health Unit and the Restaurant/Bar Association by November 15, 1999, that the City Solicitor be requested to develop a proper question to be put on the ballot in the form of a plebescite for the municipal election of the year 2000. OFFICIALLY READ NOT DEALT WITH

- (b) Moved by Councillor C. Swift
Seconded by Councillor R. Niro
Whereas the John Rhodes Community Centre was named after a man who served the citizens of Sault Ste. Marie with honour and distinction as a City Councillor, Mayor, M.P.P. and Provincial Minister; and
Whereas his style and manner was such that he won the respect of not only citizens of Sault Ste. Marie, but of the Province of Ontario as well; and
Whereas his tireless dedication in the service of others was perhaps a contributing factor in his untimely death at a relatively young age; and
Whereas the Community Centre named in his honour has been recently expanded to incorporate four recreational activities under one roof, and there are some who suggest each component be named after meritorious citizens;
Then Be It Resolved that in order to maintain the original intent of honouring his memory, that the entire complex be officially named the John Rhodes Community Centre, and that a suitable ceremony in his honour be planned for the official opening of the new centre. CARRIED

- (c) Moved by Councillor D. Brandt
Seconded by Councillor C. Swift
Whereas By-law 98-190 was conceded by the City on 1999 09 27 and is therefore no longer in force on the subject property; and
Whereas Council has previously expressed its desire to allow development of the subject property but such development was to be in a manner consistent with proper land use controls that would protect the community's aquifer recharge area and the zoning controls for this protection are no longer in force;
Be It Resolved that Planning staff be directed to review land use planning policies to determine what industrial uses are appropriate for the subject property and under what conditions. As a result of this review, appropriate staff shall bring forward a new zoning bylaw. In the meantime, an interim control by-law shall be drafted by the Legal Department for approval, at the next Council Meeting, that prohibits the use of land, buildings or structures on the subject property other than those uses identified under By-law 98-190. This interim control by-law shall expire in 120 days if it is not replaced with a new zoning by-law. WITHDRAWN BY MOVER

Moved by Councillor D. Brandt
Seconded by Councillor C. Swift
Whereas By-law 98-190 was conceded by the City on 1999 09 27 and is therefore no longer in force on the subject property; and
Whereas Council has previously expressed its desire to allow development of the subject property but such development was to be in a manner consistent with proper land use controls that would protect the community's aquifer recharge area and the zoning controls for this protection are no longer in force;
Be It Resolved that Planning staff be directed to review land use planning policies to determine what industrial uses are appropriate for the subject property and under what conditions. As a result of this review, appropriate staff shall bring forward a new zoning bylaw. DEFEATED

- (d) Moved by Councillor C. Swift
Seconded by Councillor D. Amaroso
Whereas the attached "Letter to the Editor" clipped from the October 12, 1999 edition of the Sault Star indicates the level of frustration of a visiting tourist, in regards to the street sign system in Sault Ste. Marie; and
Whereas this is an often repeated criticism that tourists express about Sault Ste. Marie;
Then Be It Resolved that appropriate staff review our present method of street signage (especially our major routes) and report back to Council with possible recommendations and costs of such. 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 S. Lepore

Seconded by Councillor D. Brandt

Resolved that all the by-laws listed under item 10 of the Agenda under date 1999 10 18 (save and except 99-191, 99-197, and 99-205) be approved. CARRIED

(a) Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that By-law 99-191 being a by-law to authorize an agreement with the City and Totten Sims Hubicki Associates to provide engineering services related to site servicing and roadway improvements associated with the development of the Gateway Site, be read three times and passed in open Council this 18th day of October, 1999. CARRIED

Councillor B. Irwin declared a pecuniary interest – employed by Ontario Lottery Corporation.

(b) Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that By-law 99-197 being a by-law to authorize an agreement with the City and 920820 Ontario Inc. (Owner of 89 Foster Drive) and 1309876 Ontario Limited (Tenant of 89 Foster Drive) concerning a shared parking arrangement for Docks Riverside Grill, be read three times and passed in open Council this 18th day of October, 1999. CARRIED

Recorded Vote

For: Mayor S. Butland, Councillors R. Niro, J. Curran, D. Jones, D. Oraziatti, P. Vaudry, D. Amaroso, D. Brandt, B. Irwin, S. Lepore

Against: Councillor C. Swift

Absent: Councillor M. Pascuzzi

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

- (c) Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that By-law 99-205 being a by-law to authorize an agreement between the City and the Huron Superior Catholic School Board and the Algoma District School Board concerning the use of Fields "A" and "B" at the Queen Elizabeth Park for high school football games be read three times and passed in open Council this 18th day of October, 1999. CARRIED

Councillor R. Niro declared a pecuniary interest – spouse employed by Huron Superior Catholic School Board.

Councillor D. Orazietti declared a pecuniary interest – employed by Algoma District School Board.

- (d) Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that By-law 99-196 being a by-law to designate 910 Fourth Line East an area of site plan control be read three times and passed in open Council this 18th day of October, 1999. (Frank Battagin) CARRIED

- (e) Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that By-law 99-198 being a by-law to authorize the acquisition of 692 Goulais Avenue from Mario and Emma Naccarato for a snow dump site be read three times and passed in open Council this 18th day of October, 1999. Funds for the acquisition will come from the account established for Property Transactions. CARRIED

- (f) Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that By-law 99-206 being a by-law to authorize the temporary closing of Queen Street East and Simpson Street for the 1999 Santa Claus Parade be read three times times and passed in open Council this 18th day of October, 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. Amaroso
Seconded by Councillor C. Swift
Whereas the use of bicycles is on the increase as a mode of transportation within the City of Sault Ste. Marie;
And whereas it would increase the safety of cyclists and drivers alike by developing provisions;
And whereas opportunities presently exist to provide bicycle lanes in current projects;
Then Be It Resolved that a bicycle path be included in the Great Northern Road reconstruction project;
Further Be It Resolved that the incorporation of bicycle paths be actively viewed with all reconstruction projects. CARRIED
- (b) Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz
Resolved that Council shall go into Caucus to discuss one labour relations and one Legal (Solicitor – Client Privilege) matter. CARRIED

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz
Resolved that this Council shall now adjourn.

"STEPHEN E. BUTLAND"
MAYOR

"DONNA P. IRVING"
CLERK