

MINUTES

REGULAR MEETING OF CITY COUNCIL

1999 09 27

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, W. Freiburger, M. Brechin, J. Luszka, L. McCoy, D. McConnell, D. Bourn, B. Strapp, G. Taylor

1. **ADOPTION OF MINUTES**

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Resolved that the Minutes of the Regular Council Meeting of 1999 09 13 be approved. CARRIED

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

3. **PASSING OF ACCOUNTS**

Moved - Councillor D. Brandt

Seconded - Councillor S. Lepore

Resolved that the accounts of 1999 09 10 in the amount of \$802,371.68 and payrolls properly certified be passed and paid and the payrolls of the periods 1999 08 22 to 1999 09 04 in amounts of Hourly \$1,186,525.62 and Salaried \$230,993.27 as certified and paid be confirmed. CARRIED

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

Moved by - Councillor D. Brandt
Seconded by - Councillor S. Lepore
Resolved that the accounts of 1999 09 17 in the amount of \$2,046,876.86 be passed and paid. CARRIED

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Mary Ellen Szadkowski, Run Co-ordinator, Algoma/CIBC Cancer Run for the Cure was in attendance and addressed Council concerning Proclamation - Breast Health Awareness Month and Algoma's CIBC Run for the Cure Day.
- (b) Doug McChesney, Chair, Cultural Advisory Board, Janet Short and Trixie Hardy were in attendance and addressed Council concerning the Community Recognition Awards.
- (c) Al Hurd, Vice-President, EDS Systemhouse was in attendance and addressed Council concerning Agenda Item 6.(1)(a) - Innovation Centre.

PART ONE - CONSENT AGENDA

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

Moved by - Councillor D. Brandt
Seconder - Councillor R. Niro
Resolved that all the items listed under date 1999 09 27 - Part One - Consent Agenda be approved as recommended, save and except 5.(h)(p).

- (a) A letter from Ontario Winter Carnival Bon Soo concerning its annual Fantasy Kingdom was accepted by Council.

Moved by - Councillor D. Brandt
Seconded by - Councillor R. Niro
Resolved that City Council approve the request of the General Manager, Ontario Winter Carnival Bon Soo for the use of the former A. B. McLean site for the 8th Annual Bon Soo Fantasy Kingdom and further that Council approve the request concerning the possible use of the City's large snowblower for construction of the Fantasy Kingdom, subject to weather conditions that the City may be experiencing at the time, be approved. CARRIED

- (b) Correspondence from the Regional Municipality of Peel (concerning Ontario Housing Corporation project losses in excess of \$50,000) was received by Council as information.
- (c) A letter from the Sault Ste. Marie Museum concerning a request for municipal partnership in a travelling exhibit entitled Ontario TimeShip 2000 was accepted by Council.

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that City Council endorse the Sault Ste. Marie Museum's application to Science North to host the "TimeShip 2000" travelling exhibit which will be on tour in Ontario during the summer of 2000. CARRIED

- (d) A letter from the Salvation Army concerning its annual Christmas Kettles program was received by Council as information.

5. (e) **Tender for One (1) Diesel Emissions Tester**

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

Moved by - Councillor M. Borowicz

Seconded by - Councillor R. Niro

Resolved that the report of the Manager of Purchasing, dated 1999 09 16 be endorsed and that the tender for the supply and delivery of One (1) Diesel Emissions Tester, required by our Transit Division, be awarded as recommended. CARRIED

(f) **Tender for Resurfacing and Paving at No. 4 Fire Hall**

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

Moved by - Councillor M. Borowicz

Seconded by - Councillor S. Lepore

Resolved that the report of the Manager of Purchasing, dated 1999 09 21 be endorsed and that the tender for the Resurfacing and Paving at No. 4 Fire Hall, be awarded as recommended. CARRIED

(g) **Tender Demolition and Removal of Civic No. 193 James Street**

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

Moved by - Councillor D. Brandt

Seconded - Councillor R. Niro

Resolved that the report of the Manager of Purchasing, dated 1999 09 20 be endorsed and that the tender for the Demolition and Removal of Civic No. 193 James Street as requested by our Building Division under By-law 98-214, be awarded as recommended. CARRIED

5. (h) **Break Open (Nevada) Tickets**

The report of the City Tax Collector was received by Council.

Moved by - Councillor D. Brandt

Seconded by - Councillor D. Amaroso

Resolved that Agenda Item 5.(h) BE REFERRED to the C.A.O. so that consultation with appropriate organizations such as the Social Planning Council take place and a report be brought back to Council on the impacts to our Community of potentially increasing the number of locations for and thereby the accessibility of Nevada Tickets. CARRIED

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

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that the report of the City Tax Collector dated 1999 09 20 be accepted and further that previous restrictions concerning Break Open (Nevada) Ticket sales be lifted and replaced with the requirement that each seller register with the Alcohol and Gaming Commission of Ontario as a Break Open (Nevada) Ticket Seller and further that this policy be reviewed after a one year trial period.

OFFICIALLY READ – NOT DEALT WITH

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

(i) **Tax Roll Adjustments**

The report of the City Tax Collector was accepted by Council.

Moved by - Councillor M. Borowicz

Seconded by - Councillor R. Niro

Resolved that pursuant to Section 442 and 443 of the Municipal Act, R.S.O. 1990, the adjustments for tax accounts outlined on the City Tax Collector's reports of 1999 09 17 be approved and the tax records be amended accordingly. CARRIED

(j) **Council Travel**

Moved by - Councillor M. Borowicz

Seconded by - Councillor R. Niro

Resolved that Mayor Stephen Butland be authorized to travel to Toronto to attend a Great Lakes Power assessment meeting on September 28, 1999.

CARRIED

5. (k) **Staff Travel Requests**

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

Moved by - Councillor M. Borowicz

Seconded by - Councillor S. Lepore

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 1999 09 27 be approved. CARRIED

(l) **Fire Station #1 - Roof**

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

Moved by - Councillor D. Brandt

Seconded by - Councillor R. Niro

Resolved that the report of the Chief Administrative Officer dated 1999 09 27 and the report of the Fire Chief dated 1999 09 20 concerning the roof at the #1 Fire Station be accepted and the recommendation therein to replace the roof at the approximate cost of \$49,000.00 plus GST, be approved with the necessary funding to be provided from the 1999 Unforeseen Expense Account.

CARRIED

(m) **Collective Bargaining - Memoranda of Settlement**

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

Moved by - Councillor M. Borowicz

Seconded by - Councillor S. Lepore

Resolved that the report of the Commissioner of Human Resources dated 1999 09 22 concerning Collective Bargaining - Memoranda of Settlement be accepted; and Further that the Memoranda of Settlement between (1) Local 3 Public Works & Transportation; (2) Local 67 Civic Centre; (3) United Transportation Union Local 104 (Transit Operators) and the City of Sault Ste. Marie be approved for ratification by City Council; and

Further that the appropriate by-laws be presented at a future Council Meeting; and

Further that the recommendation contained in the report concerning remuneration and benefits for Non-Union Supervisory staff group be endorsed and by-law 99-182 be approved. CARRIED

(n) **Update on Request for Proposals for the Lounge and the Pro Shop at the John Rhodes Centre**

The report of the Manager, Community Centres was accepted by Council.

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that the report of the Manager, Community Centres dated 1999 09 21 concerning an Update on Request for Proposals for the Lounge and the Pro Shop at the John Rhodes Centre be accepted as information. CARRIED

5. (o) **Contract 99-3E - Road Closure
Reconstruction of Leigh's Bay Road
From Second Line West to Third Line West**
The report of the Environmental/Construction Engineer was accepted by Council.
The relevant by-law 99-181 is listed under Item 10 of the Minutes.
- (p) **Implementation of By-law 99-51 - Portable Signs**
The report of the Director of Engineering Design & Buildings was received by Council.
- Moved by - Councillor J. Curran
Seconded by - Councillor D. Jones
Whereas Portable Sign By-law 99-51 came into effect on May 31, 1999 and
Whereas the grace period to obtain permits is scheduled to expire on September 28, 1999, and
Whereas many portable sign operators haven't completed the permit process;
Be It Resolved that the grace period be extended until October 18, 1999.
CARRIED
- Moved by - Councillor M. Borowicz
Seconder - Councillor R. Niro
Resolved that the report of the Director of Engineering Design and Buildings dated 1999 09 22 concerning Implementation of By-law 99-51 Portable Signs be accepted as information. OFFICIALLY READ - NOT DEALT WITH
- (q) **Fire Department - Annual Report**
The report of the Fire Chief was received by Council as information.
- (r) **Vehicle Turnaround - 73 Wardell Road
Stanley and Rosalie Simon**
The report of the City Solicitor was accepted by Council. The relevant by-law 99-201 is listed under Item 10 of the Minutes.
- (s) **Proposed Purchase of 11 St. Thomas Street**
The report of the City Solicitor was accepted by Council. The relevant by-law 99-186 is listed under Item 10 of the Minutes.
- (t) **Lane Closing Application
Wilding Park Subdivision**
The report of the City Solicitor was accepted by Council. The relevant by-laws 99-199 and 99-200 are listed under Item 10 of the Minutes.

(u) **Renewal of Agreement with Soo Greyhounds**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-187 is listed under Item 10 of the Minutes.

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

(v) **Licence of Occupation - 289 Bay Street
Algoma Central Properties Inc.**

The report of the City Solicitor was accepted by Council. The relevant by-law 99-180 is listed under Item 10 of the Minutes.

Councillor M. Borowicz declared a pecuniary interest – employed by Algoma Central Properties

(w) **Application No. 16-99-D.C. - Frank Battagin
910 Fourth Line East - Site Plan Control Designation and Delegation**

The report of the Planning Division was accepted by Council.

Moved by - Councillor M. Borowicz

Seconded by - Councillor R. Niro

Resolved that the report of the Planning Division under date 1999 09 10 concerning Application No. 16-99-D.C. - Frank Battagin be accepted and the Planning Director's recommendation, be endorsed. CARRIED

(x) **Application No. 19-99-D.C. - Algoma Central Properties
Station Mall (Galaxy Theatres)**

The report of the Planning Division was accepted by Council.

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that the report of the Planning Division under date 1999 09 21 concerning Application No. 19-99-D.C. - Algoma Central Properties be accepted and the Planning Director's recommendation, be endorsed. CARRIED

Councillor M. Borowicz declared a pecuniary interest – employed by Algoma Central Properties

PART TWO - REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (1) ADMINISTRATIVE

(a) Innovation Centre

The report of the Applied Systems Coordinator was accepted by Council.

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that Agenda Item 6.(1)(a) BE AMENDED to include the following:

Further that the S S M Innovation Centre agree as a condition of this funding, to include in its constitution a requirement that at least 1/8 of the Board Members be appointed by City Council. CARRIED

Councillor B. Irwin declared a Pecuniary Interest – employed by the Ontario Lottery Corporation

Moved by - Councillor C. Swift

Seconded by - Councillor D. Amaroso

Whereas at its meeting of 1999 06 28, Council adopted a resolution whose effect was to accept the report of Mayor Butland's suggested disposition of the three million, five hundred thousand dollar surplus experienced in the 1999 budget, and Whereas specifically, Category A, Item #1 dealt with the Innovation Centre, with one million dollars set aside "for potential new infrastructure, and in the interim to leverage Provincial and Federal funding"; and

Whereas articles of incorporation have been approved for a "NOT-FOR-PROFIT" corporation to be known as the SSM INNOVATION CENTRE; and

Whereas the inaugural meeting of those members whose names were proposed to sit as the first board of directors for the Innovation Centre was held September 20, 1999, where all members were given status updates on progress over the previous one year period; and

Whereas it was generally felt by those present that if success were to be attained in this endeavour, important matters must be dealt with expeditiously and funds must be committed to move forward. They therefore request City Council entertain the transfer of the one million dollars into the account of the SSM Innovation Centre as soon as their bank arrangements have been finalized.

Therefore Be It Resolved that the City Treasurer be requested to accede to their request ensuring that appropriate protocols are in place to accept the money; and

Further, that the SSM Innovation Centre Board be directed to present timely progress reports to this Council, which shall also include a current financial statement. (AS AMENDED). CARRIED

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

7.

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

- (a) Moved by - Councillor D. Brandt
Seconded by - Councillor S. Lepore
Resolved that before Council decides on the location and/or developer of a municipal arena the following two steps be undertaken to develop a proper vision of what is necessary for an arena in our Community;
1. A report from staff outlining the possible pros and cons of upgrading the current facility or building a new one. This will include a cost estimate of both options and a report from the Treasurer outlining possible sources of financing, possible impacts on the City's debt level, and possible impacts on taxes for both options. The report should also indicate the approximate timelines Council can work within if it decides to go ahead with either option;
 2. Staff conduct a needs assessment that would include a stakeholders survey and community survey to address current and possible future needs that might be met through upgrading the current facility or building a new one. It should also address such issues as the ideal location, local demographic trends and their implications, and the pros and cons of seeking a private sector partner. CARRIED
- (b) Moved by - Councillor D. Brandt
Seconder - Councillor
Resolved that this Council encourages the Government of Ontario to scrap its proposed changes to the Municipal Act that would allow any topic to be discussed behind "closed doors". Instead, this Council urges the Government of Ontario to seek public input before making any specific changes to what can be discussed behind "closed doors" and that these changes would apply uniformly across the province.
Be It Further Resolved that this resolution be forwarded to AMO and AMCTO for appropriate response with a copy to Tony Martin MPP. WITHDRAWN BY MOVER
- Moved by - Councillor D. Brandt
Seconded by - Councillor B. Irwin
Whereas the Provincial Government is considering changes to the Municipal Act regarding "closed door" meetings;
Be It Resolved that this Council reaffirms its support for open and transparent government and endorses the existing categories for appropriate items that can be discussed behind "closed doors" as outlined in the Municipal Act;
Be It Resolved that this this resolution be forwarded to AMO and AMCTO for appropriate response with a copy to Tony Martin, M.P.P. 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. Brandt

Seconded by - Councillor S. Lepore

Resolved that all the by-laws listed under Item 10 of the Agenda under date 1999 09 27 be approved, save and except By-laws 99-180, 99-184, 99-185 and 99-187. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-180 being a by-law to authorize a Licence of Occupation between the City and Algoma Central Properties Inc. concerning steps encroaching on the City sidewalk at 289 Bay Street, be read three times and passed in Open Council this 27th day of September, 1999. CARRIED

Councillor M. Borowicz declared a Pecuniary Interest – employed by Algoma Central Properties

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-184 being a by-law to adopt Amendment No. 19 to the Official Plan be read three times and passed in Open Council this 27th day of September, 1999 (F. J. Davey Home). CARRIED

Councillor M. Borowicz declared a Pecuniary Interest – daughter employed part-time by Sarlo, O'Neill

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-185 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 860 Great Northern Road and 110 Terrance Avenue be read three times and passed in Open Council 27th day of September, 1999 (F. J. Davey Home). CARRIED

Councillor M. Borowicz declared a Pecuniary Interest – daughter employed part-time by Sarlo, O'Neill

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-187 being a by-law to authorize an agreement with Soo Greyhounds Inc. for a period of five (5) years through to the 2003-2004 hockey season be read three times and passed in Open Council this 27th day of September, 1999. CARRIED

Councillor M. Borowicz declared a Pecuniary Interest – daughter employed part-time by Sarlo, O'Neill

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-85 being a by-law to stop up, close and authorize the sale of part of a lane in the Markretta Subdivision, Plan 52552 after notice thereof had been published once a week for four consecutive weeks be read a third time and passed in Open Council this 27th day of September, 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-181 being a by-law to authorize the temporary closing of Leigh's Bay Road from Second Line West to Third Line West for the purpose of road reconstruction be read three times and passed in Open Council this 27th day of September, 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-182 being a by-law to establish non-union job classifications and to fix the remuneration therefor and to repeal By-law 90-16 be read three times and passed in Open Council this 27th day of September, 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-183 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning Civic Address 751 Korah Road to remove the Holding designation be read three times and passed in Open Council this 27th day of September, 1999 (Craig Martynuck). CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-186 being a by-law to authorize the acquisition of 11 St. Thomas Street be read three times and passed in Open Council this 27th day of September, 1999. The monies for the acquisition will come from the Property Purchase Reserve Fund. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-199 being a by-law to assume for public use and establish as a public lane, a lane in the Wilding Park Subdivision, Plan 6541 be read three times and passed in Open Council this 27th day of September 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-200 being a by-law to stop up, close and convey a lane in the Wilding Park Subdivision, Plan 6541 be read a first and second time in Open Council this 27th day of September, 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-201 being a by-law to authorize an agreement between the City and Stanley and Rosalie Simon to utilize the property known as 73 Wardell Road as a vehicle turnaround, be read three times and passed in Open Council this 27th day of September, 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that By-law 99-203 being a by-law to amend Sault Ste. Marie Zoning By-laws 4500 and 4501 concerning lands located on 316 Wellington Street East; And Further Be It Resolved that By-law 99-204 being a by-law to designate 316 Wellington Street East an area of site plan control be read three times and passed in Open Council this 27th day of September, 1999. CARRIED

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that Council go into Caucus to discuss two Labour Relations and one Legal (Solicitor-Client Advice) matter. CARRIED

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

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Moved by - Councillor D. Brandt

Seconded by - Councillor S. Lepore

Resolved that this Council shall now adjourn. CARRIED

“STEPHEN E. BUTLAND”

MAYOR

“DONNA P. IRVING”

CLERK