

MINUTES
REGULAR MEETING OF CITY COUNCIL
2000 03 20
5:00 P.M.
COUNCIL CHAMBERS

NOTE: PRE-BUDGET DEPARTMENTAL REPORTS WERE PRESENTED BY THE POLICE SERVICES AND FIRE DEPARTMENT FROM 4:30 TO 5:00 P.M. FOR THE INFORMATION OF COUNCIL. IN ATTENDANCE WERE B. DAVIES, A. WRIGHT - POLICE SERVICES; L. MCCOY, C. BARBEAU, D. KAUPP, AND J. ST. JULES – FIRE DEPARTMENT.

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

ABSENT: Councillor P. Vaudry

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, M. Brechin, R. Avery, B. Wierzbicki, J. King, W. Freiburger, B. Strapp, T. Hernden, L. McCoy

1. **ADOPTION OF MINUTES**

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Resolved that the Minutes of the Regular Council Meeting of 2000 03 06 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor M. Borowicz

Seconded by Councillor S. Lepore

Resolved that the accounts of 2000 03 03 in the amount of \$2,339,817.79 be passed and paid. CARRIED.

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

3. Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore

Resolved that the accounts of 2000 03 10 in the amount of \$1,286,584.33 and payrolls properly certified be passed and paid and the payrolls of the periods 2000 02 20 to 2000 03 04 in amounts of Hourly \$1,189,870.49 and Salaried \$431,618.48 as certified and paid be confirmed. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Bob Hann, Robert Hann and Associates and Scott MacPherson, Ontario Ministry of Health Substance Abuse Bureau, were in attendance to present Charity Casino Impact Study – Pre-Opening Report.
- (b) Frank Sarlo, Clive Thomas and Mr. Mcneeley (resident of 49 Tallon) were in attendance concerning Agenda Item 6.(6)(a).
- (c) Cheryl Hrynuk was in attendance concerning Agenda item 6.(6)(b).
- (d) Peter Bortolussi was in attendance concerning Agenda item 6.(6)(c).
- (e) Ida Miceli was in attendance concerning Agenda item 6.(6)(d).
- (f) Peter Bortolussi, Bob Paciocco, Klaus Oswald (resident of 111 Millcreek Drive) and Kevin Ross (resident of Old Garden River Road) were in attendance concerning Agenda item 6.(6)(e).
- (g) Mike Scharff, President, RMH Teleservices Inc. and Bruce Strapp, President & C.E.O., Economic Development Corporation were in attendance concerning Agenda Item 6.(8)(a) – Call Centre Development – Sault Ste. Marie.

PART ONE - CONSENT AGENDA

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

Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that all the items listed under date 2000 03 20 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) A letter from Mayor Butland to the Ontario SuperBuild Corporation concerning Sault Ste. Marie's exclusion from recent announcements on the SuperBuild Fund was received by Council.
5. (b) Correspondence from the Township of Wellesley (concerning providing municipalities with a percentage of provincial fuel, gas, licence and registration tax revenue toward maintenance of downloaded roads); the Township of

Uxbridge (concerning the proposed Canadian Neutron Facility at Chalk River Nuclear Labs) was received by Council.

(c) **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 2000 03 20 be approved as presented. CARRIED.

(d) **Council Travel**

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Be It Resolved that Councillor Swift be authorized to attend a F.O.N.O.M. Board of Directors' Meeting in Sudbury on March 30 and 31, 2000. CARRIED.

Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Be It Resolved that Councillor Swift be authorized to attend an A.M.O. Conference in Ottawa on August 13 to 16, 2000. CARRIED.

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Resolved that Mayor Steve Butland be authorized to travel to Toronto to attend Innovation Centre Meetings on March 22nd and 23rd and to North Bay on March 24th for a meeting of the Northern Ontario Mayors. CARRIED.

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

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 2000 03 14, be endorsed and that the tender to supply and deliver Traffic Marking Paint required by our Public Works and Transportation Department, be awarded as recommended. CARRIED.

(f) **Tender for One (1) Ice/Water Rescue Craft (Airboat)**

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

5. (f) Moved by Councillor D. Brandt
Seconded by Councillor R. Niro
Resolved that the report of the Manager of Purchasing, dated 2000 03 14, be endorsed and that the tender to supply and deliver one (1) Ice/Water Rescue Craft (Airboat) required by our Fire Department, be awarded as recommended. CARRIED.
- (g) **Compaq Computer File Server**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that the report of the Manager of Purchasing, dated 2000 03 14, be endorsed and that the quotation to supply and deliver one (1) Compaq Computer File Server required by our Information Systems Division, be awarded as recommended. CARRIED.
- (h) **Tax Appeals – Section 441 & 442**
The report of the Director of Financial Services was accepted by Council.
- Moved by Councillor D. Brandt
Seconded by Councillor R. Niro
Resolved that pursuant to Section 441 & 442 of the Municipal Act, R.S.O. 1990, the adjustments for tax accounts outlined on the City Tax Collector's reports of 2000 03 10 be approved and the tax records be amended accordingly. CARRIED.
- Councillor M. Borowicz declared a pecuniary interest – employed by Algoma Central Properties.
- (i) **Amalgamation Study**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor M. Borowicz
Seconded by Councillor S. Lepore
Resolved that the report of the Commissioner of Finance and Treasurer dated 2000 03 20 concerning Amalgamation Study be accepted as information. CARRIED.
- (j) **Corporate Strategic Plan**
The report of the Assistant City Clerk was accepted by Council.
- Moved by Councillor D. Brandt
Seconded by Councillor R. Niro
Resolved that the report of the Assistant City Clerk dated 2000 03 20 concerning Corporate Strategic Plan be accepted as information. CARRIED.
5. (k) **Land Ambulance Service**

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

Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that the report of the Fire Chief and Commissioner of Community Services under date 2000 03 20 concerning Land Ambulance Service be accepted as information. CARRIED.

(l) **Engineering Services – Dennis Street Design and Reconstruction**

The report of the Director of Engineering Design & Buildings was accepted by Council. The relevant by-law 2000-69 is listed under Item 10 of the Minutes.

(m) **Approval of the Year 2001 Capital Construction Program**

The report of the Environmental/Construction Engineer was accepted by Council.

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Resolved that the report of the Environmental/Construction Engineer dated 2000 03 20 concerning Approval of the Year 2001 Capital Construction Program be accepted and the recommendation that Council approve the Program, subject to available funding in the year 2001, be approved. CARRIED.

(n) **Civic No. 101 Goulais Avenue**

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

Moved by Councillor M. Borowicz

Seconded by Councillor S. Lepore

Resolved that the report of the Building Inspector dated 2000 03 07 concerning Civic No. 101 Goulais Avenue be accepted and the recommendation that the Corporation hire the forces necessary to board up the duplex dwelling and remove and dispose of the refrigerator on the property known as Civic No. 101 Goulais Avenue adding the costs of this action to the taxes of the subject property, be approved. CARRIED.

(o) **Dennis Street Local Improvements – Local Improvement Construction By-Law 2000-11**

The report of the Environmental/Construction Engineer was accepted by Council. The relevant by-law 2000-11 is listed under Item 10 of the Minutes.

(p) **Ontario Municipal Board Hearing into Sidewalk on North Side of Northern Avenue between Willow and Tadcaster**

The report of the City Solicitor was accepted by Council.

5. (p) Moved by Councillor D. Brandt
Seconded by Councillor R. Niro
Resolved that the report of the City Solicitor dated 2000 03 20 concerning OMB Hearing – Sidewalk on Northern Avenue (North Side between Willow and Tadcaster) be accepted as information. CARRIED.
- (q) **Bell Canada Request for Easement – Bellevue Park**
The report of the City Solicitor was accepted by Council. The relevant by-law 2000-76 is listed under Item 10 of the Minutes.
- (r) **Amendment to Signs Section (10) of By-law 76-185 - File No. B.3.1.3 – Permanent Signs – Shell Canada**
The report of the Planning Director was accepted by Council.
- Moved by Councillor M. Borowicz
Seconded by Councillor R. Niro
Resolved that the report of the Planning Division under date 2000 03 20 concerning File No. B.3.1.3 – Shell Canada – be accepted and the Planning Director's recommendation, be endorsed. CARRIED.
- (s) **Christmas Lighting Award Program Policy and Procedures**
The report of Councillors Jones and Orazietti was accepted by Council.
- Moved by Councillor M. Borowicz
Seconded by Councillor S. Lepore
Resolved that the report of Councillors Jones and Orazietti dated 2000 03 20 concerning Christmas Lighting Award Program be accepted and further that the recommended policy and procedure for implementation of the Program for the 2000 Christmas Season, be approved. CARRIED.
- (t) **Tender for One (1) 35 Ton Hydraulic Detachable Drop-Neck Float Trailer**
The report of the Manager of Purchasing was accepted by Council.
- Mover Councillor M. Borowicz
Second Councillor R. Niro
Resolved that the report of the Manager of Purchasing, dated 2000 03 14, be endorsed and that the tender to supply and deliver one (1) 35 Ton Hydraulic Detachable Drop-Neck Float Trailer, required by our Public Works and Transportation Department, be awarded as recommended. CARRIED.

PART TWO - REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

- (a) **Application No. A-3-00-Z.OP – 1309934 Ontario Limited – 1323 Trunk Road – Request for Commercial Development and Create 3 Rural Lots on the Queen Street Frontage (deferred on 2000 01 10)**

The report of the Planning Director was accepted by Council.

Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that the report of the Planning Division under date 2000 03 20 concerning Application No. A-3-00-Z.OP – 1309934 Ontario Limited be accepted and the recommendation that City Council approve the application subject to the 7 conditions contained in the report, be endorsed. CARRIED.

Councillor M. Borowicz declared a pecuniary interest – daughter will be employed by Sarlo O'Neill in June 2000.

- (b) **Application No. A-38-99-Z – Allan Kary (Cheryl Hrynuk) – 321 Wellington Street East – Request to Amend Zoning By-law for a Massage Therapy Clinic (deferred on 2000 02 21)**

The report of the Planning Director was accepted by Council.

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Resolved that the report of the Planning Division under date 2000 03 20 concerning Application No. A-38-99-Z – Allan Kary (Cheryl Hrynuk) be accepted as additional information. CARRIED.

Moved by Councillor J. Curran

Seconded by Councillor R. Niro

Be It Resolved that Council allow a reconsideration of this issue (Planning Application No. A-38-99-Z – 321 Wellington Street East); and further that Council waive the usual procedure of Notice of Motion to allow discussion and decision on the issue tonight. CARRIED.

Moved by Councillor R. Niro

Seconded by Councillor S. Lepore

Resolved that the question be put concerning agenda item 6.(6)(b). CARRIED.

6. (6)

(b) Moved by Councillor J. Curran
Seconded by Councillor D. Orazietti

Whereas application A-38-99-Z (321 Wellington Street East) seeks to amend the zoning by-law to allow for a massage therapy clinic;

Whereas there is an issue of space in the area in front of the building for parking;

And whereas there is enough space to park two cars between the handicapped ramp and the sidewalk;

Therefore Be It Resolved that the rezoning application be approved, subject to the following conditions:

- The required parking space be reduced from 5.79m (19') to 1.67m (5.5');
- Section 8.10 of the Zoning By-law requiring a 3m (10') separation between commercial parking and a residential zone be waived; and
- At least two parking spaces be provided in the rear yard;
- The by-law covering the rezoning be drafted so that the provisions of 5.(2) of 77-200 would not apply to this property;
- Designate the property an area of site plan review. CARRIED.

Recorded Vote:

For: Mayor S. Butland, Councillors R. Niro, M. Borowicz, J. Curran, D. Jones, D. Orazietti, D. Amaroso, S. Lepore

Against: Councillors C. Swift, D. Brandt, B. Irwin, M. Pascuzzi

Absent: Councillor P. Vaudry

(c) **Application No. A-13-00-Z.OP – Arthur Tombari – 378 & 384 Hudson Street – Request for Expansion of Existing Automobile Sales Lot by Constructing a Garage to Clean and Prepare Cars Offered for Sale**

The report of the Planning Director was accepted by Council.

Moved by Councillor M. Borowicz

Seconded by Councillor S. Lepore

Resolved that the report of the Planning Division under date 2000 03 20 concerning Application No. A-13-00-Z.OP – Arthur Tombari be accepted and the recommendation that Council approve the application subject to the 3 conditions contained in the report, be endorsed. CARRIED.

(d) **Application No. A-14-00-Z – Ida Miceli – 317 Albert Street West – Request to Convert Restaurant to Confectionery Store**

The report of the Planning Director was accepted by Council.

6. (6)
(d) Moved by Councillor M. Borowicz
Seconded by Councillor R. Niro
Resolved that the report of the Planning Division under date 2000 03 20 concerning Application No. A-14-00-Z – Ida Miceli be accepted and the recommendation that Council approve the application, be endorsed. CARRIED.

(e) **Application No. A-15-00-Z & 57T-00501 – Millcreek Heights Subdivision Ltd. – 337R Old Garden River Road – Request for Rezoning for 70 Single Detached Residential Lots**

The report of the Planning Director was accepted by Council.

Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that the report of the Planning Division under date 2000 03 20 concerning Application No.'s A-15-00-Z & 57T-00501 – Millcreek Heights Subdivision Ltd. be accepted and the recommendation that Council approve the application subject to the 8 conditions contained in the report, be endorsed. CARRIED.

Recorded Vote:

For: Mayor S. Butland, Councillors R. Niro, M. Borowicz, J. Curran, D. Jones, D. Oraziotti, D. Amaroso, D. Brandt, B. Irwin, S. Lepore, M. Pascuzzi

Against: nil

Absent: Councillors P. Vaudry, C. Swift

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

(a) **Call Centre Development – Sault Ste. Marie**

The report of the Economic Development Corporation was accepted by Council. The relevant By-laws 2000-77, 2000-78 & 2000-79 are listed under Item 10 of the Minutes.

Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that the report of the President and C.E.O. and the Economic Development Officer of the Sault Ste. Marie E.D.C. dated 2000 03 14 concerning Call Centre Development – Sault Ste. Marie be accepted and that the initiatives identified in the report be authorized, those being

- (i) obtaining \$154,167.90 from the Economic Development Fund;
- (ii) a parking agreement between the City of Sault Ste. Marie and the Sault Ste. Marie E.D.C.;
- (iii) a lease between the City of Sault Ste. Marie and Major Contracting;

- (a) (iv) a sub-lease between the City of Sault Ste. Marie and RMH Teleservices International Inc.; and
(v) that applications be made to FedNor, Human Resources Development Canada, and the Northern Ontario Heritage Fund.

Recorded Vote:

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

Against: nil

Absent: Councillor P. Vaudry

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

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 2000 03 20 be approved. CARRIED.

(a) Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that By-law 2000-11 being a by-law to authorize the construction of a sanitary sewer and private drain connection on Dennis Street from Bay Street to Wellington Street East under Section 12 of the Local Improvement Act at an estimated cost of \$220,919.00, be read a third time and passed this 20th day of March, 2000. CARRIED.

(b) Moved by Councillor D. Brandt

Seconded by Councillor S. Lepore

Resolved that By-law 2000-60 being a by-law to adopt Amendment No. 27 to the Official Plan be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.

10. (c) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-61 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning lands located at civic nos. 272 Second Line West and 511 and 513 Brunswick Avenue and further be it resolved that By-law 2000-62 being a by-law to designate 272 Second Line West and 511 and 513 Brunswick Avenue as an area of site plan control be read three times and passed in Open Council this 20th day of March, 2000. (Peter and Roy Bortolussi) CARRIED.
- (d) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-69 being a by-law to authorize an agreement between the City and Wm. R. Walker Engineering Inc. for engineering services be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.
- (e) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-71 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning lands located at 337R Old Garden River Road be read three times and passed in Open Council this 20th day of March, 2000. (Millcreek Heights Subdivision) CARRIED.
- (f) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-73 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning lands located at 317 Albert Street West be read three times and passed in Open Council this 20th day of March, 2000. (Ida Miceli) CARRIED.
- (g) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-74 being a by-law to repeal By-law 2310 concerning oil burning appliances be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.
- (h) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-75 being a by-law to authorize a boundary road maintenance agreement between the City and Prince Township for a period of 5 years and terminating September 30th, 2004, be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.

10. (i) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-76 being a by-law to grant an easement to Bell Canada on Bellevue Park property in order to improve and increase telecommunication services in the area, be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.
- (j) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-77 being a by-law to authorize an agreement between the City and the Sault Ste. Marie Economic Development Corporation with respect to the allocation of parking spots in the Downtown area for economic development be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.
- (k) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-78 being a by-law to authorize an agreement between the City and Major Contracting (Algoma) Limited with respect to a lease to the City of 32,015 sq. ft. at 345 Queen Street East be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.
- (l) Moved by Councillor D. Brandt
Seconded by Councillor S. Lepore
Resolved that By-law 2000-79 being a by-law to authorize a sublease between the City and RMH Teleservices International Inc. with respect to a sublease of 32,015 sq. ft. at 345 Queen Street East for the purposes of a call centre be read three times and passed in Open Council this 20th day of March, 2000. CARRIED.

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

Moved by Councillor M. Borowicz
Seconded by Councillor R. Niro
Resolved that this Council shall now go into Caucus to discuss one personal matter about an identifiable individual and one Labour Relations matter. CARRIED.

12.

ADJOURNMENT

Moved by Councillor M. Borowicz

Seconded by Councillor S. Lepore

Resolved that this Council shall now adjourn. CARRIED.

"STEPHEN E. BUTLAND"
MAYOR

"DONNA P. IRVING"
CLERK