

MINUTES

REGULAR MEETING OF CITY COUNCIL

2000 04 03

5:00 P.M.

COUNCIL CHAMBERS

NOTE: PRE-BUDGET DEPARTMENTAL REPORTS WERE PRESENTED BY THE PUBLIC LIBRARIES, ECONOMIC DEVELOPMENT CORPORATION AND CONSERVATION AUTHORITY FROM 4:30 – 5:00 P.M. FOR THE INFORMATION OF COUNCIL. IN ATTENDANCE WERE W. EISENBICHLER, B. STRAPP AND LINDA WHALEN.

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, D. McConnell, W. Freiburger

1. **ADOPTION OF MINUTES**

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the Minutes of the Regular Council Meeting of 2000 03 20 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 2000 03 17 in the amount of \$1,358,040.98 be passed and paid. CARRIED.

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

3. Moved by - Councillor S. Lepore
Seconded by - Councillor D. Brandt
Resolved that the accounts of 2000 03 24 in the amount of \$420,743.36 and payrolls properly certified be passed and paid and the payrolls of the periods 2000 03 05 to 2000 03 18 in amounts of Hourly \$1,199,200.50 and Salaried \$239,960.68 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) Charlotte Mandolesi, Supervisor Volunteer Centre, was in attendance to address Council concerning Proclamation – National Volunteer Week.
- (b) Michael Elgie, President of the Sault and District Home Builders' Association, was in attendance to address Council concerning Proclamation – New Homes Month.
- (c) Fred Moynan was in attendance to address Council concerning transportation issues.
- (d) Gord Acton and Malcolm McLeod were in attendance concerning Agenda item 6.(6)(b).
- (e) Chris Tossell was in attendance concerning Agenda item 6.(6)(c).
- (f) Eileen Forestell, Strategic Planning Coordinator of Building an Extraordinary Community and members of the various Solution Councils were in attendance concerning Agenda item 6.(8)(a).

PART ONE - CONSENT AGENDA

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

Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that all the items listed under date 2000 04 03 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from the Algoma Health Unit concerning a national program for Disease Prevention and Health Promotion was received by Council.

5. (b) Correspondence from the Minister of Finance and the Association of Municipalities of Ontario concerning 2000 Provincial Grant Programs was received by Council.

- (c) A letter from A & P Properties Limited concerning a request for 24 Hour Store Opening was received by Council.

Councillor D. Jones declared a pecuniary interest – spouse employed by A & P Properties Ltd.

- (d) A letter requesting permission for a private property liquor licence extension was received by Council.

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the following request for a liquor licence extension on private property for an outdoor event on the stated date and time be endorsed by City Council: Sault College – May 28, 2000 - 7:00 p.m. to 12:00 midnight. CARRIED.

- (e) Correspondence from the Manager of Transit concerning various transit activities was received by Council.

- (f) The copy of correspondence from Mayor Butland to other Northern Ontario Mayors concerning a Northern Medical School initiative was received by Council.

Moved by Councillor M. Pascuzzi

Seconded by Councillor P. Vaudry

Be it resolved that Council endorse the Northern Medical School initiative given the conditions outlined in Mayor Butland's letter to Mayors Boshcoff, Burrows, Gordon and Power. CARRIED.

- (g) **Staff Travel Requests**

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

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2000 04 03 be approved as presented. CARRIED.

- (h) **Tender for Athletic Field Marking Paint**

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

5. (h) Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz
Resolved that the report of the Manager of Purchasing, dated 2000 03 27, be endorsed and that the tender to supply and deliver Athletic Field Marking Paint, required by the Parks Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED.

(i) **Boards and Committees Appointments**

Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that citizens Rick Muncaster, Brian Tremblay, Vito Tassone, Carmella Novella, John Moore, Janice Martineau, Trudy Cameron, Annelise Wolfe, Jim McGinn, Mark Mizzi, Otto Volpe, Rob Thibeault and David Elgie be appointed to the Queenstown Board of Management from April 1, 2000 to March 31, 2001. CARRIED.

Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz
Resolved that the citizen appointment of Michel Aube to fill one vacancy on the Sault Ste. Marie Library Board (created by the resignation of Richard Palmer) for a three year term that expires on December 31, 2000, be approved. CARRIED.

(j) **Queenstown Board of Management – 2000 Budget Estimates and 1999 Audit Report**

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

Moved by Councillor R. Niro
Seconded by Councillor D. Brandt
Resolved that City Council acknowledge receipt of the Queenstown Board of Management Audit for the year 1999, as prepared by KPMG LLP Chartered Accountants and that Council approve the Queenstown Board of Management Budget Estimates for the year 2000 in the amount of \$140,000.00. CARRIED.

(k) **City Centre Board of Management – 2000 Budget Estimates and 1999 Audit Report**

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

5. (k) Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz
Resolved that City Council acknowledge receipt of the City Centre Board of Management Audit for the year 1999, as prepared by KPMG LLP Chartered Accountants and that Council approve the City Centre Board of Management Budget Estimates for the year 2000 in the amount of \$13,000.00. CARRIED.

(l) **Property Tax Advisory Services**

The report of the Commissioner of Finance and Treasurer was accepted by Council. The relevant by-law 2000-68 is listed under Item 10 of the Minutes.

(m) **Agreement With Northern Ontario Heritage Fund (NOHFC) – Financial Assistance With Ontario Winter Games 2000**

The report of the Director of Financial Services was accepted by Council. The relevant by-law 2000-93 is listed under Item 10 of the Minutes.

(n) **Construction By-law 2000-70 – Reconstruction of Third Line From Allen's Side Road to 60 Metres West of Goulais Avenue – Class "B" Pavement**

The report of the Commissioner of Engineering and Planning was accepted by Council. The relevant by-law 2000-70 is listed under Item 10 of the Minutes.

(o) **Delay in Ontario Municipal Board Hearing into Big Box Development – First Professional**

The report of the City Solicitor was accepted by Council.

Moved by Councillor D. Oraziotti

Seconded by Councillor P. Vaudry

Whereas, City Council has recently received correspondence indicating a substantial delay in the Big Box Development Hearing; and

Whereas, Council has unanimously supported the application presented by First Professional Management; and

Whereas, further delay of this development will likely prevent the applicants from commencing construction this year, as well as, will cost the taxpayers of this community a minimum of \$200,000.00 to support Council's decision at the O.M.B.; and

Whereas the developers will spend an estimated 30 million dollars which will create construction jobs, long-term jobs, tax revenue and assist in making Sault Ste. Marie a larger regional shopping destination;

Therefore Be It Resolved that the Mayor and Council request in writing that the parties in opposition to the Big Box Development withdraw their application from the Ontario Municipal Board and allow consumers to choose where they will shop. CARRIED.

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

5. (o) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that the report of the City Solicitor under date 2000 04 03 concerning Delay in Ontario Municipal Board Hearing into Big Box Development – First Professional be accepted as information. CARRIED.

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

- (p) **Planning Application A-38-99-Z – Use of 321 Wellington Street East – Massage Therapist Clinic**

The report of the City Solicitor was received by Council. The relevant by-laws 2000-80, 2000-81 and 2000-82 are listed under Item 10 of the Minutes.

Moved by Councillor C. Swift

Seconded by Councillor B. Irwin

Be It Resolved that By-laws 2000-80, 2000-81 and 2000-82 be referred to the Traffic Department and the Police Services for review and comment at our next City Council Meeting (April 17, 2000). CARRIED.

- (q) **Handicap/Permit Parking in Front of 345 Queen Street East**

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 under date 2000 04 03 concerning Handicap/Permit Parking in front of 345 Queen Street East be accepted, and the recommendation contained therein be approved. CARRIED.

- (r) **Municipal Fish Hatchery – Use by Department of Fisheries and Oceans, Sea Lamprey Control Centre**

The report of the City Solicitor was accepted by Council. The relevant by-law 2000-94 is listed under Item 10 of the Minutes.

- (s) **Council Travel**

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Be It Resolved that Councillor Swift be authorized to attend a F.O.N.O.M. Annual General Meeting in Blind River on May 10, 11 and 12, 2000. CARRIED.

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that Mayor Butland be authorized to attend the 2000 AMO Annual Conference being held August 13 to 16, 2000 in Ottawa, Ontario. CARRIED.

5. (s) The letter from Mayor Butland was accepted by Council.
- Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Be It Resolved that Councillor Vaudry and Mayor Butland be authorized to travel to Maia, Portugal April 11 to 18, 2000, on behalf of the Corporation. CARRIED.
- Moved by Councillor B. Irwin
Seconded by Councillor P. Vaudry
Be It Resolved that Councillor Irwin be authorized to travel to Ireland April 8 to April 24, 2000 on behalf of the Corporation of the City of Sault Ste. Marie. CARRIED.
- (t) Correspondence from the Ministry of Transportation concerning road safety in Northern Ontario was received by Council.

PART TWO - REGULAR AGENDA

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

6. (5) **LEGAL**

(a) **Letter From A & P Properties Limited Regarding 24 Hour Store Opening**

The report from the City Solicitor was accepted by Council.

Moved by Councillor B. Irwin
Seconded by Councillor J. Curran

Resolved that the report of the City Solicitor under date 2000 04 03 concerning a request from A & P Properties Limited regarding 24 Hour Store Opening be accepted and further that staff be directed to prepare a by-law to amend By-law 3832 in accordance with the request received from A & P Properties Limited for the next regular meeting of Council. CARRIED.

Councillor D. Jones declared a pecuniary interest – spouse employed by A & P Properties Ltd.

6. (6) **PLANNING**

(a) **Application No. A-5-00-Z and A-6-00-Z.OP - Odena Reload Centre Inc. – 2121 Sixth Line – Request to Amend Zoning By-law for Industrial Purposes**

The report of the Planning Director was accepted by Council.

6. (6)

(a) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz

Resolved that the report of the Planning Division under date 2000 04 03 concerning the January 20th 2000 letter from Malcolm McLeod regarding Rezoning Application Nos. A-5-00-Z and A-6-00-Z.OP (Odena) be accepted as information. CARRIED.

Councillor D. Jones declared a pecuniary interest – employed by National Transportation.

(b) **Application No. A-6-00-Z.OP - Odena Reload Centre Inc. – 2121 Sixth Line – Request to Amend Zoning By-law for Industrial Purposes**

The report of the Planning Director was received by Council.

Moved by Councillor M. Borowicz
Seconded by Councillor D. Brandt

Resolved that Planning Application No. A-6-00-Z.OP – Odena Reload Centre Inc. **BE DEFERRED** until completion of a Noise Impact Study (May 29th Council Meeting – all parties to be notified). CARRIED.

Councillor D. Jones declared a pecuniary interest – employed by National Transportation.

Moved by Councillor S. Lepore
Seconded by Councillor M. Borowicz

Resolved that the report of the Planning Division under date 2000 04 03 concerning Application No. A-6-00-Z.OP – Odena Reload Centre Inc. be accepted and the recommendation that City Council approve the application subject to the 5 conditions contained in the report, be endorsed. OFFICIALLY READ NOT DEALT WITH.

Councillor D. Jones declared a pecuniary interest – employed by National Transportation.

(c) **Application No. A-16-00-Z.OP - Management Board Secretariat - 521 Second Line East – To develop a Young Offenders Facility on the Subject Property**

The report of the Planning Director was accepted by Council.

6. (6)
(c) Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Resolved that the report of the Planning Division under date 2000 04 03 concerning Application No. A-16-00-Z.OP – Management Board Secretariat be accepted and the recommendation that City Council approve the application subject to the 2 conditions contained in the report, be endorsed. CARRIED.

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

(a) **Building An Extraordinary Community Draft Strategic Plan**

The Building An Extraordinary Community Draft Strategic Plan was received by Council.

Moved by - Councillor R. Niro

Seconded by - Councillor M. Borowicz

Whereas City Council initiated the Building An Extraordinary Community process in June, 1998 by approving the Strategic Planning Framework document; and

Whereas City Council provides the authority and therefore the legitimacy to the Strategic Plan and its development; and

Whereas the Round Table, Coordinating Committee, Solution Councils and Secretariat derive their authority to implement the Plan from City Council;

Therefore Be It Resolved that City Council accept as information the BEC Draft Strategic Plan and express its appreciation for the hard work and dedication of the many volunteers who have contributed to Building An Extraordinary Community; and

Further Be It Resolved that an invitation to comment on the draft Plan, on or before May 1st, 2000, be extended to City Council, senior staff and existing community service delivery groups whose operations may be impacted by its recommendations; and

Further that such comments be reviewed by the Solution Councils and Coordinating Committee prior to the Final Strategic Plan being presented to City Council for its endorsement and approval at the June 12th, 2000 Council Meeting. CARRIED.

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 R. Niro

Seconded by Councillor M. Borowicz

Resolved that all the by-laws listed under item 10 of the Agenda under date 2000 04 03, save and except 2000-80, 2000-81, 2000-82 (**REFERRED** to the April 17, 2000 Council Meeting) be approved. CARRIED.

(a) Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that By-law 2000-80 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 321 Wellington Street East and

Further Be It Resolved that By-law 2000-81 being a by-law to designate 321 Wellington Street East as an area of site plan control be read three times and passed in Open Council this 3rd day of April, 2000. (Cheryl Hrynuk)
OFFICIALLY READ NOT DEALT WITH.

(b) Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that By-law 2000-82 being a by-law to amend the text of Traffic By-law 77-200 by adding paragraph 5A be read three times and passed in Open Council this 3rd day of April, 2000. OFFICIALLY READ NOT DEALT WITH.

(c) Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that By-law 2000-38 being a by-law to stop up, close and authorize the conveyance of a corner rounding at the corner of Goulais Avenue and Coverdale Street shown as Part 3 on Plan 1R-6564 be read a third time and passed in Open Council this 3rd day of April, 2000 after notice thereof had been published once a week for four consecutive weeks and after Council had met to hear every person who claims that his or her land will be prejudicially affected by the by-law and who had applied to be heard. CARRIED.

(d) Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that By-law 2000-68 being a by-law to authorize an agreement between the City and Municipal Tax Equity Consultants Inc. for property tax advising services commencing March 8th, 2000 and terminating December 31st, 2000, be read three and times and passed in Open Council this 3rd day of April, 2000. CARRIED.

10. (e) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that the report of the Commissioner of Engineering and Planning dated 2000 04 03 concerning the construction of Class "B" pavement on Third Line from Allen's Side Road to 60 metres west of Goulais Avenue at a total estimated cost of \$316,000.00 is hereby approved and adopted and be it further resolved that By-law 2000-70 authorizing the construction and capital expenditure therefore, be read three times and passed in Open Council this 3rd day of April, 2000. CARRIED.
- (f) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-72 being a by-law to designate 337R Old Garden River Road as an area of site plan control be read three times and passed in Open Council this 3rd day of April, 2000. (Millcreek Heights) CARRIED.
- (g) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-87 being a by-law to adopt Amendment No. 28 to the Official Plan be read three times and passed in Open Council this 3rd day of April, 2000. (Arthur Tombari) CARRIED.
- (h) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-88 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning lands located at 378 and 384 Hudson Street and Further Be It Resolved that By-law 2000-89 a by-law to designate 378 and 384 Hudson Street as an area of site plan control be read three times and passed in Open Council this 3rd day of April, 2000. (Arthur Tombari) CARRIED.
- (i) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-90 being a by-law to adopt Amendment No. 24 to the Official Plan be read three times and passed in Open Council this 3rd day of April, 2000. (1309934 Ontario Limited) CARRIED.
- (j) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-91 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 1323 Trunk Road and Further Be It Resolved that By-law 2000-92 being a by-law to designate 1323 Trunk Road as an area of site plan control be read three times and passed in Open Council this 3rd day of April, 2000. (1309934 Ontario Limited) CARRIED.

10. (k) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-93 being a by-law to authorize an agreement between the City and the Northern Ontario Heritage Fund Corporation (NOHFC) to provide funding for the hosting of the 2000 Ontario Winter Games not to exceed \$50,000.00, be read three times and passed in Open Council this 3rd day of April, 2000. CARRIED.
- (l) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-94 being a by-law to renew the lease of the Municipal Fish Hatchery for use by the Department of Fisheries and Oceans as a Sea Lamprey Control Centre for a further one year term commencing April 1, 2000 and terminating March 31st, 2001 be read three times and passed in Open Council this 3rd day of April, 2000. CARRIED.
- (m) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-95 being a by-law to amend Schedule "B" to Street Assumption By-law 99-209 be read three times and passed in Open Council this 3rd day of April, 2000. CARRIED.
- (n) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-96 being a by-law to adopt Amendment No. 30 to the Official Plan be read three times and passed in Open Council this 3rd day of April, 2000. (Management Board Secretariat – Young Offenders Facility) CARRIED.
- (o) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-97 being a by-law to amend Zoning By-law 4500 and 4501 concerning lands located at 521 Second Line East and Further Be It Resolved that By-law 2000-98 being a by-law to designate 521 Second Line an area of site plan control be read three times and passed in Open Council this 3rd day of April, 2000. (Management Board Secretariat – Young Offenders Facility) CARRIED.
- (p) Moved by Councillor R. Niro
Seconded by Councillor M. Borowicz
Resolved that By-law 2000-101 being a by-law to authorize an agreement for the City to provide Ontario Works staff and administrative support to The Sault Ste. Marie District Social Services Administration Board for the period commencing January 1, 2000 and terminating December 31, 2000, be read three times and passed in Open Council this 3rd day of April, 2000. CARRIED.

11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS**

OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that this Council shall now go into Caucus to discuss one personal matter about identifiable individual and one property acquisition matter.
CARRIED.

12.

ADJOURNMENT

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that this Council shall now adjourn. CARRIED.

“STEPHEN E. BUTLAND”
MAYOR

“DONNA P. IRVING”
CLERK