

MINUTES

REGULAR MEETING OF CITY COUNCIL

2000 07 10

4:30 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, D. McConnell, J. Luszka, M. White, B. Freiburger, P. McAuley, M. Kukoraitis, L. McCoy

1. **ADOPTION OF MINUTES**

Moved by Councillor C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that the Minutes of the Regular Council Meeting of 2000 06 26 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the accounts of 2000 06 23 in the amount of \$1,502,084.18 be passed and paid. CARRIED.

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

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

3. Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that the accounts of 2000 06 30 in the amount of \$869,234.83 and payrolls properly certified be passed and paid and the payrolls of the periods 2000 06 11 to 2000 06 24 in amounts of Hourly \$1,327,218.62 and Salaried \$362,194.63 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) Richard Ciotti, President, Chamber of Commerce was in attendance concerning the recent Irish Trade Mission.
- (b) Dan McIntyre, KPMG was in attendance concerning the Corporate Strategic Plan - Agenda item 5(j).
- (c) Otto Volpe was in attendance concerning Agenda item 5.(p).
- (d) Bradley Burke was in attendance concerning Agenda item 6.(6)(a).
- (e) Peter Bortolussi was in attendance concerning Agenda item 6.(6)(b).
- (f) Bob Paciocco and Dave Sewart were in attendance concerning Agenda item 6.(6)(c).

PART ONE - CONSENT AGENDA

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

Moved by Councillor D. Oraziotti
Seconded by Councillor M. Pascuzzi
Resolved that all the items listed under date 2000 07 10 - Part One - Consent Agenda, save and except 5.(o), be approved as recommended. CARRIED.

- (a) Correspondence from Stuart Rawlings concerning a complaint regarding a request made under the Municipal Freedom of Information and Protection of Privacy Act was received by Council, along with correspondence from the City Solicitor.

5. (b) Correspondence from the City of Toronto (concerning requesting that the federal and provincial governments enact legislation to prohibit the import, keeping or sale of poisonous and venomous animals); the Rail Ways to the Future Committee (concerning support for a resolution to the Province to establish a Rail Renewal Task Force); the City of Windsor [concerning support for the Municipal Action Plan - Protecting Our Water - also see agenda item 5(e)]; and from Tony Martin MPP Sault Ste. Marie (concerning support for a resolution regarding the Northern Health Travel Grant) was received by Council.
- (c) A letter from First Gulf dated 2000 06 27 in response to a letter from the Chief Administrative Officer dated 2000 06 27 concerning the Gateway Site was received by Council.
- (d) A letter from Ken Wallenius, General Manager and Secretary, Sault Ste. Marie Public Utilities Commission advising of his upcoming retirement on December 31st, 2000 was received by Council.
- (e) Correspondence from AMO concerning the Municipal Action Plan for Water was received by Council.
- (f) A letter from the Group Health Centre advising that they wish to withdraw their request for an amendment of bylaw 98-192 for Tax Relief was received by Council.
- (g) Correspondence concerning a request for permission to hold a Special Occasion Permit event at an outdoor municipal facility was accepted by Council.

Moved by Councillor D. Oraziotti

Seconded by Councillor P. Vaudry

Resolved that the following request to hold a Special Occasion Permit event at a municipal facility on the stated dates and times be endorsed by City Council:

Bondar Park

Rotary Club of Sault Ste. Marie

July 20, July 21, 2000

6:30 p.m. to 11:30 p.m. CARRIED.

- (h) Letters requesting permission for private property liquor licence extensions were accepted by Council.

Moved by Councillor C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that the following requests for a liquor licence extension on private property for outdoor events on the stated dates and times be endorsed by City Council.

5. (h) 1. G. Verdi Lodge
Bocce Courts
July 23, 2000
12:00 noon to 8:00 p.m.
2. Sault College of Applied Arts and Technologies
Student Life Centre
September 5, September 6, September 7, 2000
12:00 p.m. to 11:00 p.m. CARRIED.
- (i) Correspondence from Mayor Butland to the Ministry of Health concerning Sault Ste. Marie's financial plan to deal with the proposed new hospital in our community was received by Council.
- (j) **"Leading the Way – Naturally" Corporate Strategic Plan**
The report of the Assistant City Clerk was accepted by Council.
- Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that the report of the Assistant City Clerk dated 2000 07 10 concerning the Corporate Strategic Plan be accepted; and
Further that the "Leading the Way – Naturally" Corporate Strategic Plan be approved as presented. CARRIED.
- (k) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.
- Moved by Councillor D. Orazietti
Seconded by Councillor M. Pascuzzi
Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2000 07 10 be approved as presented. CARRIED.
- (l) **Tax Appeals – Section 442 and 443**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
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 2000 07 10 be approved and the tax records be amended accordingly. CARRIED.
- Councillor M. Borowicz declared a pecuniary interest - employed by Algoma Central Properties.

5. (m) **Gateway Site Servicing and Roadway Improvements**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that the report of the Commissioner of Engineering and Planning dated 2000 07 10 concerning Gateway Site Servicing and Roadway Improvements be accepted as information. CARRIED.
- (n) **Tall Grass – Civic No. 5 Par Avenue**
The report of the Director of Engineering Design and Buildings was accepted by Council.
- Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that the report of the Director of Engineering Design and Buildings dated 2000 06 29 concerning Civic No. 5 Par Avenue be accepted and the recommendation that the Corporation hire the forces necessary to cut the grass adding the costs of this action to the taxes of the subject property, be approved. CARRIED.
- (o) **Outstanding Council Resolution of June 28th, 1999 Concerning a Possibility of Limiting the Number of Dogs Per Household**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor D. Oraziotti
Seconded by Councillor M. Pascuzzi
Resolved that the report of the City Solicitor dated 2000 07 10 concerning Possibility of Limiting Number of Dogs Per Household be accepted and the recommendation contained therein (no amendment to the dog control bylaw), be endorsed. CARRIED.

Recorded Vote

For: Mayor S. Butland, Councillors R. Niro, M. Borowicz, J. Curran, P. Vaudry, D. Amaroso, M. Pascuzzi

Against: Councillors D. Jones, D. Oraziotti, C. Swift, D. Brandt, B. Irwin, S. Lepore

Absent: Nil

5. (o) Moved by Councillor S. Lepore
Seconded by Councillor D. Brandt
Whereas there are numerous concerns about excessive numbers of dogs that are kept as pets in a single household;
Therefore be it resolved that the Legal Department draft a by-law limiting the number of dogs in a household to 4 (four) excluding kennel club members, foster homes for the Humane Society, breeders, registered therapy dog programs and farms. OFFICIALLY READ NOT DEALT WITH.

(p) **Food Vending Vehicles**

The report of the City Tax Collector was accepted by Council. The relevant By-Law 2000-170 is listed under item 10 of the Minutes.

(q) **Lease Renewal – Lock Tours Canada**

The report of the City Solicitor was accepted by Council. The relevant By-Law 2000-166 is listed under item 10 of the Minutes.

(r) **Notice of Appeal to Official Plan By-law 2000-125 and Zoning By-law 2000-126 – ODENA Reload Centre**

The report of the City Solicitor was accepted by Council.

Moved by Councillor D. Oraziotti

Seconded by Councillor P. Vaudry

Whereas Official Plan By-law 2000-125 and Zoning By-law 2000-126 were passed by City Council on May 29th, 2000 concerning lands located on the south side of Sixth Line and having Civic No. 2121 Sixth Line East (ODENA Reload Centre); and

Whereas after public notice was given in accordance with the Planning Act, R.S.O., an appeal for each by-law, of which copies are attached to this resolution, were presented to City Council and were duly considered by Council at its meeting on July 10th, 2000;

Now, therefore let it be resolved that application be made to the Ontario Municipal Board for dismissal of these appeals. CARRIED.

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

(s) **Recent Developments in Ontario's Electricity Market Place**

The report of the City Solicitor was accepted by Council.

5. (s) Moved by Councillor D. Oraziotti
Seconded by Councillor M. Pascuzzi
Resolved that the report of the City Solicitor dated 2000 07 20 and Daria Babaie of DTE/Probyn dated 2000 07 05 concerning recent developments in Ontario's Electricity Market Place be accepted and the recommendations contained therein, be endorsed. CARRIED.
- (t) **City Purchase from Barsanti Sixth Line and Great Northern Road**
The report of the City Solicitor was accepted by Council. The relevant By-law 2000-167 is listed under item 10 of the Minutes.
- Councillor D. Jones declared a pecuniary interest - employed by National Transportation.
- (u) **Encroachment Agreement – 240 Willow Avenue**
The report of the City Solicitor was accepted by Council. The relevant By-law 2000-171 is listed under item 10 of the Minutes.
- (v) **Corrugated Cardboard**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2000 06 29 concerning Corrugated Cardboard, be accepted as information. CARRIED.
- (w) **Street Name Signs**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2000 06 20 concerning Street Name Signs be accepted and the 5 recommendations contained therein, be approved. CARRIED.
- (x) **Household Hazardous Waste Collection**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

5. (x) Moved by Councillor D. Oraziotti
Seconded by Councillor M. Pascuzzi
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2000 06 28 concerning Household Hazardous Waste Collection be accepted and the recommendation to proceed with a request for proposals for the program and facility design, be approved. CARRIED.
- (y) **Cemetery Reserve**
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor D. Oraziotti
Seconded by Councillor P. Vaudry
Resolved that the report of the Commissioner of Public Works and Transportation dated 2000 06 26 concerning Cemeteries Mature/Problem Trees – Cemetery Reserve be accepted and the recommendation to proceed to undertake the required work with funds from the Cemetery Reserve Account, be approved. CARRIED.
- (z) **Equipment Purchase**
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that the report of the Commissioner of Public Works and Transportation dated 2000 06 30 concerning Equipment Purchase be accepted and the recommendation to purchase a used asphalt paving machine for a total purchase price of \$22,713.00 be approved. CARRIED.
- (aa) **Disposal of Decommissioned Aerial Apparatus**
The report of the Fire Chief was accepted by Council.
- Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that the report of the Fire Chief dated 2000 07 10 concerning Disposal of Decommissioned Aerial Apparatus be accepted and the recommendation that the apparatus be disposed of through a public auction of surplus equipment, be approved. CARRIED.
- (bb) **Connecting Link Funding for the Reconstruction of Black Road from Second Line East to one (1) km South**
The report of the Environmental/Construction Engineer was accepted by Council.
The relevant by-law 2000-168 is listed under item 10 of the Minutes.

5. (cc) **Contract 2000-10E - Milling & Asphalt Resurfacing - Trunk Road & Second Line East**

The report of the Environmental/Construction Engineer was accepted by Council. The relevant by-law 2000-172 is listed under item 10 of the Minutes.

(dd) **Placing Questions on the Municipal Ballot - November 13, 2000 Election**

The report of the City Clerk was accepted by Council.

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the report of the City Clerk dated 2000 07 10 concerning Placing Questions on the Municipal Ballot - November 13, 2000 Election be accepted as information. CARRIED.

Moved by Councillor D. Brandt

Seconded by Councillor B. Irwin

Resolved that Council now move into Committee of the Whole to deal with Agenda item 5.(dd). OFFICIALLY READ NOT DEALT WITH.

(ee) **Firefighter Negotiations 1999-2001**

The report of the Fire Chief and Manager, Human Resources was accepted by Council. The relevant by-law 2000-174 is listed under item 10 of the Minutes.

Councillors R. Niro and C. Swift declared a pecuniary interest - relatives employed by Fire Department.

PART TWO - REGULAR AGENDA

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

6. (6) **PLANNING**

(a) **Application No. A-22-00-Z - Bradley and Linda Burke - 39 Wiber Street - Request to Expand the Single Family Residential Zoning into the Vacant Portion of the Confectionery Store**

The report of the Planning Director was accepted by Council.

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the report of the Planning Division under date 2000 07 10 concerning Application No. A-22-00-Z – Bradley and Linda Burke be accepted and the recommendation that City Council approve the application subject to the 2 conditions contained in the report, be endorsed. CARRIED.

6. (6)

(b) **Application No. A-23-00-Z.OP - Ferruccio China and Carlo China in Trust and James and Amelia Burns - 249 and 301 Old Garden River Road - Request in Order to Prepare the Property for Submission as Potential Site for new Hospital and Other Related Health Uses**

The report of the Planning Director was received by Council.

Moved by Councillor M. Borowicz

Seconded by Councillor R. Niro

Resolved that rezoning Application No. A-23-00-Z.OP Ferruccio China and Carlo China in Trust - 249 and 301 Old Garden River Road BE DEFERRED to July 24, 2000 Council Meeting at the request of the solicitor for the applicant in order to allow the applicant time to review the Planning Director's report and recommendations. CARRIED.

Moved by Councillor D. Orazietti

Seconded by Councillor M. Pascuzzi

Resolved that the report of the Planning Division under date 2000 07 10 concerning Application No. A-23-00-Z – F. China and C. China in Trust be accepted and the recommendation that City Council approve the application subject to the 4 conditions contained in the report, be endorsed. OFFICIALLY READ NOT DEALT WITH.

(c) **Application No. A-24-00-Z - Clearview Heights Development Company Limited - 876 to 906 Pine Street - Request in Order to Develop the Properties as Semi-Detached Residential**

The report of the Planning Director was accepted by Council.

Moved by Councillor D. Orazietti

Seconded by Councillor P. Vaudry

Resolved that the report of the Planning Division under date 2000 07 10 concerning Application No. A-24-00-Z – Ruscio Masonry and Construction Limited be accepted and the recommendation that City Council approve the application subject to the 5 conditions contained in the report, be endorsed. CARRIED.

Recorded Vote

For: Councillors R. Niro, J. Curran, D. Jones, D. Orazietti, C. Swift, D. Amaroso, B. Irwin

Against: Mayor S. Butland, Councillors M. Borowicz, P. Vaudry, D. Brandt, S. Lepore, M. Pascuzzi

Absent: Nil

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 C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that all the by-laws listed under item 10 of the Agenda under date 2000 07 10, save and except 2000-174, be approved. CARRIED.

(a) Moved by Councillor D. Oraziotti

Seconded by Councillor M. Pascuzzi

Resolved that By-law 2000-174 being a by-law to authorize an agreement between the City and the Sault Ste. Marie Professional Firefighters Association, Local 529 commencing February 1, 1999 and terminating January 31, 2002, be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.

Councillors C. Swift and R. Niro declared a pecuniary interest - relatives employed by the Fire Department.

(b) Moved by Councillor C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that the report of the Commissioner of Engineering and Planning dated 2000 07 10 concerning the construction of sanitary sewer and private drain connections on Great Northern Road from Fourth Line East to 150 metres north, under Section 12 of the Local Improvement Act at an estimated cost of \$90,000.00 is hereby approved and adopted and be it further resolved that By-law 2000-151 authorizing the construction and capital expenditure thereof, be read the first and second times this 10th day of July, 2000. CARRIED.

(c) Moved by Councillor C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that the report of the Public Utilities Commission's Chief Engineer dated 2000 07 10 concerning the installation of a 300 mm watermain and water service laterals on Great Northern Road from Fourth Line East to approximately 150 metres north under Section 12 of the Local Improvement Act at an estimated cost of \$480,000.00 is hereby approved and adopted and be it further resolved

10. (c) that By-law 2000-158 authorizing the construction of a watermain and water service laterals on Great Northern Road from Fourth Line East to approximately 150 metres north, be read the first and second times this 10th day of July, 2000. CARRIED.
- (d) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-165 being a by-law to increase minor variance application fees for commercial, industrial or institutional zoned applications and to repeal By-law 92-76 be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.
- (e) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-166 being a by-law to renew a lease agreement with the City and Lock Tours Canada concerning the ticket pavilion and the docking of the Lock Tour boats at Roberta Bondar Park for the term of two years commencing May 15th, 2000 and terminating May 14th, 2003, be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.
- (f) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-167 being a by-law to authorize the acquisition of property on Sixth Line at Great Northern Road from Mary Barsanti to facilitate the new Sixth Line Bridge be read three times and passed in Open Council this 10th day of July, 2000. The monies for the acquisition are to come from the Property Purchases Reserve Fund. CARRIED.
- (g) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-168 being a by-law to authorize an agreement with the City and the Ministry of Transportation with respect to accessing the Connecting Link fund for the reconstruction of Black Road from Second Line East to one (1) km south be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.
- (h) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-169 being a by-law to amend Schedule "A" to By-law 94-51 being a by-law respecting permits and related matters under the Building Code Act, be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.

10. (i) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-170 being a by-law to amend By-law 3306 with respect to food vending vehicles be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.
- (j) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-171 being a by-law to authorize the Mayor and the Clerk to sign an Encroachment Agreement involving the property at 240 Willow Avenue be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.
- (k) Moved by Councillor C. Swift
Seconded by Councillor M. Pascuzzi
Resolved that By-law 2000-172 being a by-law to authorize an agreement with the City and Towland-Hewitson Construction for the milling and asphalt resurfacing of Trunk Road - Dacey Road to Fournier Road and Second Line East - Old Garden River Road to Black Road be read three times and passed in Open Council this 10th day of July, 2000. CARRIED.

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

- (a) Moved by Councillor C. Swift
Seconded by Councillor D. Orazietti
Whereas during a rezoning application hearing for multiple family apartment buildings in the east end behind the Credit Union building; a condition of approval was that a chain must be put in place at the dead end of Silver Birch Drive, which is the juncture with the emergency exit to those multiple-family units; and
Whereas, several incidents have occurred which had the effect of staff removing that chain to the consternation of residents of Silver Birch Drive, who would like some attention paid to this matter;
Then be it resolved that appropriate staff be requested to review the situation and report back to Council with background and alternate ways of achieving a workable deterrent to through traffic. CARRIED.
- (b) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that this Council shall now go into Caucus to discuss one labour relations and one legal (solicitor-client privilege) matter. CARRIED.

12.

ADJOURNMENT

Moved by Councillor C. Swift

Seconded by Councillor M. Pascuzzi

Resolved that this Council shall now adjourn. CARRIED.

"STEPHEN E. BUTLAND"
MAYOR

"DONNA P. IRVING"
CLERK