

MINUTES

REGULAR MEETING OF CITY COUNCIL

2000 07 24

4:30 P.M.

COUNCIL CHAMBERS

NOTE: COUNCIL MET IN SPECIAL SESSION AT 4:00 P.M. TO HEAR PUBLIC SUBMISSIONS CONCERNING PUTTING A QUESTION ON THE NOVEMBER 13, 2000 ELECTION BALLOT CONCERNING A SPECIAL TAX LEVY FOR A NEW OR REDEVELOPED HOSPITAL. SEE AGENDA ITEM 6.(5)(a).

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

ABSENT: Councillor M. Pascuzzi

OFFICIALS: J. Fratesi, D. Irving, N. Kenny, L. Bottos, B. Freiburger, M. Brechin, W. Wierzbicki

1. **ADOPTION OF MINUTES**

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the Minutes of the Regular Council Meeting of 2000 07 10 and Special Council Meeting of 2000 07 13 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 C. Swift

Resolved that the accounts of 2000 07 07 in the amount of \$9,973,520.36 be passed and paid. CARRIED.

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

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

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

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

Moved by Councillor D. Orazietti

Seconded by Councillor D. Jones

Resolved that the accounts of 2000 07 14 in the amount of \$1,043,658.01 and payrolls properly certified be passed and paid and the payrolls of the periods 2000 06 25 to 2000 07 08 in amounts of Hourly \$1,347,959.96 and Salaried \$255,100.02 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 Latour; Robert Burns; John Rowswell; Phil Morehouse; Hospital Board (Tim Lukenda); Marilyn Sloan; Paul Sim; Jim Wedderburn; and Bill Maki were in attendance concerning the Hospital Question - Agenda item 6.(5)(a).
- (b) The 2000 - 2001 Sault Ste. Marie Chamber of Commerce Executive was in attendance for their annual Swearing-In Ceremony by Mayor Butland.
- (c) Mary Tacz was in attendance concerning agenda item 5.(a).
- (d) Kyle Eaton, Matt Lajoie and Steve Sullivan were in attendance concerning agenda item 5.(b).
- (e) Larry Guerriero of PUC Inc. was in attendance concerning agenda item 5.(c).
- (f) Peter Bortolussi was in attendance concerning agenda item 6.(6)(a).
- (g) A representative of Superior 7 Advertising was in attendance concerning agenda item 6.(6)(b).
- (h) Jim Bonamico, Mr. Tridico and Mr. Caputo 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 C. Swift

Seconded by Councillor P. Vaudry

Resolved that all the items listed under date 2000 07 24 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence concerning a Municipal Gaming Public Awareness Policy was received by Council.

Moved by Councillor D. Oraziotti

Seconded by Councillor P. Vaudry

Resolved that the information concerning a Municipal Gaming Public Awareness Policy BE REFERRED to the appropriate staff for review and report back to Council. CARRIED.

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

- (b) Correspondence from Mayor Butland concerning the feasibility of a community skateboard facility was received by Council.

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the correspondence from Mayor Butland concerning the feasibility of a community skateboard facility BE REFERRED to the Parks and Recreation Advisory Committee for review and report back to Council prior to consideration of the 2001 Budget. CARRIED.

- (c) Correspondence from DTE/Probyn concerning P.U.C. Transfer By-laws and agreements was accepted by Council. The relevant by-laws 2000-183, 2000-184, 2000-185 and 2000-186 are listed under item 10 of the Minutes.

Moved by Councillor D. Oraziotti

Seconded by Councillor P. Vaudry

Resolved that the report of DTE/Probyn dated 2000 07 17 concerning PUC Transfer By-laws and agreements be accepted and the recommendations contained on Pages 5 and 6 of the report, be approved. CARRIED.

- (d) Correspondence from the Economic Developers Council of Ontario concerning their recent summer conference was received by Council.

5. (e) An article from the Sudbury Star - June 1, 2000 edition concerning the John Rhodes Community Centre was received by Council.
- (f) Correspondence from the Township of Dubreuilville concerning the single lane bailey bridge (Highway 519) was received by Council.
- (g) The copy of correspondence from Mayor Butland concerning a Free Trade Zone designation was received by Council.
- (h) Correspondence from the Federation of Northern Ontario Municipalities concerning Hospital Restructuring Funding was received by Council.

Moved by Councillor C. Swift

Seconded by Councillor D. Amaroso

Resolved that the City of Sault Ste. Marie supports the Northern Health Care Task Force established by the Federation of Northern Ontario Municipalities (FONOM) in its lobby of the provincial government to create a Northern Hospital Millennium Fund of \$75 million for northern hospital restructuring and further that financial assistance in the amount of \$2,000 be provided to the Task Force. CARRIED.

- (i) The letter from Sudbury Downs Holdings concerning Teletheatre Wagering was received by Council.

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the Council of the Corporation of the City of Sault Ste. Marie has no objection to the moving of Teletheatre Wagering from the Purple Lantern Tavern to the Cellar Tap Brew Pub & Grill. CARRIED.

- (j) Correspondence concerning a request for permission to hold a Special Occasion Permit event at an outdoor municipal facility was received 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:

Tom Tipton Field

Marconi Society

August 5, 6 and 7, 2000

12:00 noon to 9:00 p.m. CARRIED.

5. (k) Correspondence from Mary Anne Gillespie and Carlo Bruni requesting permission for temporary street closings on Wiber Street from Amy Street to Jean Street on July 29, 2000 from 1:00 p.m. to 1:00 a.m.; and Doncaster Road from Prentice Avenue to Sussex Road on August 26, 2000 from 2:00 p.m. to 12:00 midnight were received by Council. The relevant street closing by-laws 2000-188 and 2000-189 are listed under Item 10 of the Minutes.

(l) **Council Travel**

Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that Mayor Steve Butland be authorized to travel to Toronto on July 26 for Trans Polar flight meetings. CARRIED.

Moved by Councillor D. Orazietti
Seconded by Councillor C. Swift
Resolved that Mayor Steve Butland and Councillor Peter Vaudry be authorized to travel to Toronto on July 25 to meet with Ministry of Health officials. CARRIED.

(m) **Staff Travel Requests**

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

Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2000 07 24 be approved as presented. CARRIED.

(n) **Request for Financial Assistance for National/International Sports Competition**

The report of the Assistant Manager, Recreation and Culture, was accepted by Council.

Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that the report of the Assistant Manager, Recreation and Culture, under date 2000 07 18 concerning a request for Financial Assistance for National/International Sports Competition (Brad Denning to the Canadian Ten Pin Federation National Youth Championships; and Shirley Dacey to the FINA VII World Masters Swimming Championships) be accepted, and the recommendation to provide a \$200.00 grant to each applicant be approved. CARRIED.

5. (o) **Engineering Agreement - John Street Pump Station**
The report of the Director of Engineering Design and Buildings was accepted by Council. The relevant by-law 2000-177 is listed under item 10 of the Minutes.
- (p) **Delay in Ontario Municipal Board Hearing into Big Box Development**
The report of the City Solicitor was received by Council as information.
- (q) **Contract 2000-11E - Reconstruction of Black Road (MTO Connecting Link)**
The report of the Environmental/Construction Engineer was accepted by Council. The relevant by-law 2000-182 is listed under item 10 of the Minutes.
- (r) **Amendment to PUC Transfer By-law 2000-183**
The report of the Commissioner of Finance and Treasurer was accepted by Council.

Mover Councillor D. Oraziotti

Seconder Councillor P. Vaudry

Resolved that the report of the Commissioner of Finance and Treasurer dated 2000 07 24 concerning Amendment to PUC Transfer By-law 2000-183 be accepted and further that By-law 2000-183 be amended as recommended.
CARRIED.

PART TWO - REGULAR AGENDA

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

6. (5) **LEGAL**

- (a) **Placing Question on Municipal Ballot Regarding Hospital Funding**
The report of the Assistant City Solicitor was accepted by Council. The relevant by-law 2000-179 is listed under item 10 of the Minutes.

6. (6) **PLANNING**

- (a) **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 accepted by Council.

6. (6)

(a) Moved by Councillor R. Niro
Seconded by Councillor J. Curran

That City Council rezone the subject property from Rural Area and Planned Development to Institutional conditional upon the following:

1) That the uses be limited to hospital and uses related to the provision of health care.

2) That a buffer be supplied along the northerly limit of the subject property satisfactory to the Planning Director, said requirement to be included as part of the rezoning by-law.

3) That access to Old Garden River Road be secondary access only with primary access being from Second Line. Further, that Second Line access be restricted to one. The location of said access be subject to the approval of the Director of Public Works and Transportation.

4) Designating the property as an area site plan review pursuant to Section 41 of the Planning Act. CARRIED.

Recorded Vote

For: Mayor S. Butland, Councillors R. Niro, J. Curran, D. Oraziotti, C. Swift, B. Irwin, S. Lepore

Against: Councillors M. Borowicz, D. Jones, P. Vaudry, D. Amaroso, D. Brandt

Absent: Councillor M. Pascuzzi

(b) **Application No. A-25-00-Z - Superior 7 Advertising Ltd. - 371 Albert Street East - Request to Erect a Billboard Sign 10' x 20'**

The report of the Planning Director was received by Council.

Moved by Councillor S. Lepore

Seconded by Councillor P. Vaudry

Resolved that Application No. A-25-00-Z Superior 7 Advertising Ltd., 371 Albert Street East - Billboard Sign BE DEFERRED to the August 14, 2000 Council Meeting in order to get further information from Traffic Staff. CARRIED.

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the report of the Planning Division under date 2000 07 24 concerning Application No. A-25-00-Z - Superior 7 Advertising Ltd. be accepted and the Planning Director's recommendation to deny the request to utilize the subject property for a free standing billboard sign be endorsed. OFFICIALLY READ NOT DEALT WITH.

6. (6)

(c) **Application No. A-26-00-Z - G. Verdi Lodge and the Ontario Lottery Corporation - 453 Queen Street West - Request to Erect an Advertising Billboard Sign on the Roof of the G. Verdi Lodge**

The report of the Planning Director was received by Council.

Moved by Councillor D. Oraziotti

Seconded by Councillor D. Jones

Resolved that Application No. A-26-00-T - G. Verdi Lodge and the Ontario Lottery Corporation, 453 Queen Street West - request to erect a billboard sign on the roof of the G. Verdi Lodge BE DEFERRED to the August 14, 2000 Council Meeting in order to get further information from staff, i.e., past billboard policy, safety concerns, etc. CARRIED.

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

Moved by Councillor C. Swift

Seconded by Councillor P. Vaudry

Resolved that the report of the Planning Division under date 2000 07 24 concerning Application No. A-26-00-T - G. Verdi Lodge and Ontario Lottery Corporation be accepted and the Planning Director's recommendation to deny the request to utilize the subject property for a rooftop billboard sign, be endorsed. OFFICIALLY READ NOT DEALT WITH.

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 B. Irwin

Seconded by Councillor P. Vaudry

Whereas Sault Ste. Marie's young people are Sault Ste. Marie's future; and
Whereas Sault Ste. Marie has high voter turnout and voter turnout is a key indicator of a healthy local democracy; and,

Whereas an American program called Kids Voting USA has successfully introduced non-binding voting by children that educates young people and increases adult voter turnout;

Be it resolved that appropriate staff investigate the possibility of implementing a children's voting program in Sault Ste. Marie, in conjunction with the Year 2000 municipal elections. 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. Orazietti

Seconded by Councillor P. Vaudry

Resolved that all the by-laws listed under item 10 of the Agenda under date 2000 07 24, save and except 2000-179, be approved. CARRIED.

Recorded Vote

For: Mayor S. Butland, Councillors R. Niro, M. Borowicz, J. Curran, D. Jones, D. Orazietti, P. Vaudry, C. Swift, D. Amaroso, B. Irwin, S. Lepore

Against: Councillor D. Brandt

Absent: Councillor M. Pascuzzi

Moved by Councillor D. Brandt

Seconded by Councillor M. Borowicz

Resolved that By-law 2000-176 be removed from agenda item 10 and be dealt with separately. DEFEATED.

(a) Moved by Councillor D. Orazietti

Seconded by Councillor P. Vaudry

Resolved that By-law 2000-154 being a by-law to stop up, close and authorize the conveyance of parts of lanes in the Keenan Subdivision, Plan H-679 and Connaught Park Subdivision, Plan 6503 be read a third time and passed in Open Council this 24th day of July, 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.

(b) Moved by Councillor D. Orazietti

Seconded by Councillor P. Vaudry

Resolved that By-law 2000-173 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305 be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.

10. (c) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-176 being a by-law to amend Sault Ste. Marie Zoning By-laws 4500 and 4501 concerning lands located on the east side of Pine Street, south of Pleasant Drive be read three times and passed in Open Council this 24th day of July, 2000. (Ruscio Masonry) CARRIED.
- (d) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-177 being a by-law to authorize an agreement with the City and Wm. R. Walker Engineering for the construction of the John Street Pumping Station and Force Main be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (e) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-178 being a by-law to amend fire route by-law 81-404, by adding 711 Bay Street (Waterfront Condominiums) to Schedule "A", be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (f) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-179 being a by-law to authorize a question to be put on the municipal ballot regarding funding a new or redeveloped hospital be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.

Recorded Vote

For: Mayor S. Butland, Councillors M. Borowicz, D. Jones, D. Orazietti, P. Vaudry, D. Brandt, B. Irwin, S. Lepore

Against: Councillors R. Niro, J. Curran, C. Swift, D. Amaroso

Absent: Councillor M. Pascuzzi

- (g) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-180 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 39 Wiber Street be read three times and passed in Open Council this 24th day of July, 2000. (Bradley Burke) CARRIED.

10. (h) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-181 being a by-law to authorize an agreement with EDA Collaborative Inc. in association with Ellis Pastore Oswin Consultants Inc. to carry out the Clergue Park Master Plan be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (i) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-182 being a by-law to authorize an agreement with the City and R. M. Belanger Limited for the reconstruction of Black Road from Second Line southerly for 1 km including extension of the sanitary sewer and related services be read three times and passed in Open Council this 24th day of July, 2000. (Contract 2000-11E) CARRIED.
- (j) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-183 being a by-law to transfer to the Successor Corporations, being corporations incorporated under the OBCA with respect to Section 142(1) of the Electricity Act, the employees, assets, liabilities, rights and obligations of the City of Sault Ste. Marie associated with generating, distributing, transmitting and retailing electricity be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (k) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-184 being a by-law to authorize an agreement with the City and PUC to authorize the sale by the City of its shares in PUC Energies Inc., PUC Services Inc., PUC Distribution and PUC Telecom Inc. be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (l) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-185 being a by-law to authorize a Shareholder's Agreement between the City and PUC Inc. be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (m) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-186 being a by-law to authorize an agreement between the City, PUC Distribution Inc. and PUC Telecom Inc. with respect to the use of City rights-of-way be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.

10. (n) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-187 being a by-law to change the name of Ferry Street to Russ Ramsay Way be read a first and second time in Open Council this 24th day of July, 2000. CARRIED.
- (o) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-188 being a by-law to permit the temporary closing of Wiber Street on July 29, 2000 to facilitate a street party be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (p) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 2000-189 being a by-law to permit the temporary closing of Doncaster Road on August 26, 2000 to facilitate a street party be read three times and passed in Open Council this 24th day of July, 2000. CARRIED.
- (q) Moved by Councillor D. Orazietti
Seconded by Councillor P. Vaudry
Resolved that By-law 1999-230 being a by-law to stop up, close and authorize the conveyance of all of a 14 foot laneway in the Byrne Subd., Plan 1489, being shown as Parts 1 to 20 on Plan 1R-10100 and part of the Kehoe Avenue road allowance, Byrne Subd., Plan 1489 being shown as Parts 21 and 22 on Plan 1R-10100 be read a third time and passed in Open Council this 24th day of July, 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.

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

12. **ADJOURNMENT**

Moved by Councillor C. Swift
Seconded by Councillor P. Vaudry
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK