

**MINUTES**  
**REGULAR MEETING OF CITY COUNCIL**  
**2000 04 17**  
**5:00 P.M.**  
**COUNCIL CHAMBERS**

**NOTE:** PRE-BUDGET DEPARTMENTAL REPORTS WERE PRESENTED BY THE LEGAL DEPARTMENT, HUMAN RESOURCES DEPARTMENT AND CLERK'S DEPARTMENT FROM 4:30 – 5:00 P.M. FOR THE INFORMATION OF COUNCIL. IN ATTENDANCE WERE L. BOTTOS, J. LUSZKA AND D. IRVING.

**PRESENT:** Acting Mayor D. Jones, Councillors R. Niro, M. Borowicz, J. Curran, D. Orazietti, C. Swift, D. Amaroso, D. Brandt, S. Lepore, M. Pascuzzi

**ABSENT:** Mayor S. Butland, Councillors B. Irwin, P. Vaudry

**OFFICIALS:** J. Fratesi, D. Irving, L. Bottos, J. Luszka, D. McConnell, N. Apostle, G. Mason, M. Kukoraitis

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 04 03 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 31 in the amount of \$1,932,199.67 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 04 07 in the amount of \$15,414,234.57 and payrolls properly certified be passed and paid and the payrolls of the periods 2000 03 19 to 2000 04 01 in amounts of Hourly \$1,180,274.67 and Salaried \$228,468.56 as certified and paid be confirmed. CARRIED.

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

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

Councillor D. Oraziotti declared a pecuniary interest – employed by Algoma District School Board.

4.

#### **DELEGATIONS/PROCLAMATIONS**

- (a) Lynda Bowyer, representative of the Banners Project, was in attendance concerning Proclamation - Earth Day.
- (b) Dan Lewis, President, Sault Ste. Marie and District Labour Council, was in attendance concerning Proclamation – Annual Day of Mourning.
- (c) Mary Ellen Luxton Poluck was in attendance concerning the John Arthur Luxton Art Exhibit on display in the Civic Centre Lobby.
- (d) Claudette Ethier, Special Projects Coordinator, Ontario Association of Fire Chiefs, was in attendance concerning Agenda item 5.(a) Fire Safety Awareness Campaign.
- (e) Mike Hughes was in attendance concerning Agenda item 5.(q).
- (f) Cheryl Hrynuk was in attendance concerning Agenda item 6.(5)(a).

## **PART ONE - CONSENT AGENDA**

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

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that all the items listed under date 2000 04 17 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from the Ontario Association of Fire Chiefs concerning a Fire Safety Awareness Campaign was received by Council.

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that City Council supports and endorses the Ontario Association of Fire Chiefs and the Sault Ste. Marie Fire Department's "Fire Safety Awareness Campaign Project" to be undertaken in the City of Sault Ste. Marie and further that the determination of appropriate sign locations be referred to the Fire Chief and Commissioner of Public Works and Transportation. CARRIED.

- (b) The letter from residents of Holland Landing, Ontario concerning the recent 2000 Ontario Winter Games was received by Council.
- (c) The letter from the organizers of the Sault Ste. Marie Santa Claus Parade advising of the November 28, 2000 parade date and new starting time of 6:00 p.m. was received by Council.
- (d) Letters from the Rotaryfest organizers and the Steel City Kiwanis concerning the "Community Spirits Pavilion" event in conjunction with Rotaryfest was received by Council.

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that City Council designate Rotaryfest which is held annually in the City of Sault Ste. Marie (July 20 to 22, 2000) to be a "Community Festival" for the purposes of the Alcohol and Gaming Commission of Ontario. CARRIED.

5. (d) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that the following request for a liquor licence extension on private property for an outdoor event on the stated dates and times be endorsed by City Council: Steel City Kiwanis – Community Spirits Pavilion on the parking lot of Northern Breweries – July 19 to 22, 2000 from 12:00 noon to 1:00 a.m.; and  
Further Resolved that this event be designated a “Community Festival” as part of the Rotaryfest days for the purposes of the Alcohol and Gaming Commission of Ontario. CARRIED.
- (e) Correspondence from the Municipality of Chatham-Kent (concerning a review of the Drainage Act grant programs); the Town of Richmond Hill (concerning petitioning the Province of Ontario to amend the Municipal Act to allow municipalities to prohibit adult entertainment parlours); the City of Welland (concerning petitioning the Province of Ontario to exempt cultural clubs and non-profit halls from commercial tax rates); the Municipality of Centre Hastings (concerning MOE water permits) was received by Council.
- (f) Correspondence from the resident of 374 John Street and the Knights of Columbus requesting permission for temporary street closings for (1) Cornwall Street on July 1<sup>st</sup> from 3:00 p.m. to 11:00 p.m. and (2) Queen Street from East Street to Bruce Street on May 28<sup>th</sup> from 2:00 p.m. to 3:45 p.m. was received by Council. The relevant by-laws 2000-107 and 2000-108 are listed under Item 10 of the Minutes.
- (g) **Quotation for Pre-Finished Metal Roofing – Cemetery Chapel Roof**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor R. Niro  
Seconded by Councillor M. Borowicz  
Resolved that the report of the Manager of Purchasing, dated 2000 04 11, be endorsed and that the quotation to supply Pre-finished Metal Roofing for the Cemetery Chapel Roof, required by the Cemeteries Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (h) **Tender for Keyboard/Mouse Platforms**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor R. Niro  
Seconded by Councillor D. Brandt  
Resolved that the report of the Manager of Purchasing, dated 2000 04 07, be endorsed and that the tender to supply and install Keyboard/Mouse Platforms, required by the Ontario Works Division, be awarded as recommended. CARRIED.

5. (i) **Tender for Electronic Parking Meters**

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

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that the report of the Manager of Purchasing, dated 2000 04 05, be endorsed and that the tender to supply and deliver Electronic Parking Meters, required by our Parking Division, be awarded as recommended. CARRIED.

(j) **2000 Interim Tax Apportionment**

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

Moved by Councillor R. Niro

Seconded by Councillor D. Brandt

Resolved that pursuant to Section 413 of the Municipal Act that the apportionment for the tax account outlined on the attached list certified by the City Tax Collector be approved and therefore the City Treasurer be authorized to amend the tax records in accordance with the report. CARRIED.

(k) **Frozen Assessment Listing Appeals**

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

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that the report of the City Tax Collector, dated April 17, 2000, concerning the Frozen Assessment Roll Appeals be approved. CARRIED.

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

(l) **Outstanding Council Resolutions**

The Outstanding Council Resolutions list updated to 2000 04 03 was received by Council.

(m) **Staff Travel Requests**

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

Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2000 04 17 be approved as presented. CARRIED.

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

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

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the report of the Assistant Manager of Recreation and Culture, under date 2000 04 17 concerning a Request for Financial Assistance for National/International Sports Competition be accepted, and the recommendation contained therein be endorsed. CARRIED.

(o) **Pre-Engineering Study – Rebuilding the East End Sewage Treatment Plant for Secondary Treatment**

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

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that the report of the Environmental/Construction Engineer dated 2000 04 17 concerning Pre-Engineering Study – Rebuilding the East End Sewage Treatment Plant for Secondary Treatment be accepted and the recommendation that a Pre-Engineering Study be carried out and that the funding for this Study come from the Sewage Treatment Plant Reserve Fund, be approved. CARRIED.

**Recorded Vote**

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

Against: Councillor D. Brandt

Absent: Mayor S. Butland, Councillors P. Vaudry, B. Irwin

(p) **Engineering Services – Lake Street Design and Reconstruction**

The report of the Director of Engineering Design and Buildings was accepted by Council. The relevant by-law 2000-99 is listed under Item 10 of the Minutes.

(q) **24 Hour Opening for Supermarket (Grocery) Stores**

The report of the City Solicitor was accepted by Council. The relevant by-law 2000-102 is listed under Item 10 of the Minutes.

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

5. (r) **Appeal of By-law 2000-39 – West Boundary of Land Located on Sixth Line (Odena)**

Correspondence from Ian D. Thompson, Friends of Hiawatha Highlands, was received by Council.

Moved by Councillor R. Niro

Seconded by Councillor S. Lepore

Whereas By-law 2000-39 was passed by City Council on February 21<sup>st</sup>, 2000 to clarify the west boundary on the lands designated as Parts 2 and 3 on Plan 1R-9930 located on Sixth Line (Odena Reload Centre);

And whereas after public notice was given in accordance with the Planning Act, R.S.O., an appeal, a copy of which is attached to this resolution, was presented to City Council and was duly considered by Council at its meeting on April 17<sup>th</sup>, 2000;

Now therefore be it resolved that application be made to the Ontario Municipal Board for dismissal of this appeal. CARRIED.

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

(s) **Lease Agreement – Brody's Sports Bar and Grill – John Rhodes Community Centre**

The report of the City Solicitor was accepted by Council. The relevant by-law 2000-103 is listed under Item 10 of the Minutes.

(t) **Cemetery By-Law Amendment**

The report of the City Solicitor was accepted by Council. The relevant by-law 2000-109 is listed under Item 10 of the Minutes.

(u) **Clergue Park and Regional Cadet Sailing School**

The report of the Planning Director was accepted by Council.

Moved by Councillor S. Lepore

Seconded by Councillor M. Borowicz

Resolved that the report of the Planning Division under date 2000 04 17 concerning Clergue Park and Regional Cadet Sailing School be accepted and the Planning Director's recommendation, be endorsed. CARRIED.

(v) **Amendment to the Signs Section (10) of By-law 76-185 – File No. B.3.1.4 – Signage Within City Right-of-Way – Sault Ste. Marie Museum**

The report of the Planning Director was accepted by Council.

5. (v) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that the report of the Planning Division under date 2000 04 17 concerning an Amendment to the Sign Section of By-law 76-185 – Sault Ste. Marie Museum, be accepted and the Planning Director's recommendation, be endorsed. CARRIED.
- (w) **1999 Annual Report – Planning Advisory Committee**  
The report of the Planning Advisory Committee was accepted by Council.
- Moved by Councillor R. Niro  
Seconded by Councillor M. Borowicz  
Resolved that the report of the Planning Advisory Committee under date 2000 04 17 concerning the 1999 Annual Report be accepted as information. CARRIED.
- (x) **5 Year Official Plan Review – Planning Advisory Committee**  
The report of the Planning Advisory Committee was accepted by Council.
- Moved by Councillor R. Niro  
Seconded by Councillor D. Brandt  
Resolved that the report of the Planning Advisory Committee under date 2000 04 17 concerning the 5 Year Official Plan Review be accepted as information. CARRIED.
- (y) **Community Development Award – Planning Advisory Committee**  
The report of the Planning Advisory Committee was accepted by Council.
- Moved by Councillor S. Lepore  
Seconded by Councillor M. Borowicz  
Resolved that the report of the Planning Advisory Committee under date 2000 04 17 concerning the 1999 Community Development Award be accepted and the Planning Advisory Committee's recommendation to present the award to the Canadian Bushplane Heritage Centre be endorsed. CARRIED.
- (z) An article from "Public Works" featuring Sault Ste. Marie entitled Digging Deep was received by Council.



## **PART TWO - REGULAR AGENDA**

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

#### **6. (1) ADMINISTRATIVE**

##### **(a) Planning Application No. A-6-00-Z.OP – Odena Reload Centre Inc. – Council Meeting Date**

The report of the City Clerk was accepted by Council.

Moved by Councillor S. Lepore

Seconded by Councillor D. Brandt

Resolved that the report of the City Clerk dated 2000 04 17 concerning Planning Application No. A-6-00-Z.OP – Odena Reload Centre Inc. be accepted and the request to schedule this Application for the May 1<sup>st</sup>, 2000 Council Meeting, be approved, and further that all parties be notified of the Meeting date. CARRIED.

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

#### **6. (5) LEGAL**

##### **(a) Planning Application No. A-38-99-Z – Use of 321 Wellington Street East – Massage Therapist Clinic**

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

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

##### **(a) Restructuring of the Sault Ste. Marie Public Utilities Commission**

The report of DTE/Probyn Energy Solutions was accepted by Council.

Moved by Councillor C. Swift

Seconded by Councillor D. Amaroso

Resolved that the report of DTE/Probyn Energy Solutions dated April 17, 2000 concerning The Board Composition for the PUC's Successor Corporations be accepted; and

Further resolved that the recommendations contained in the report concerning appointments to the Board of Directors PUC Inc., its Subsidiary Companies, and Water Utility Commissioners; the reappointment process; and the remuneration schedule, be approved;

And further that the City Council representation on the Board be Councillors Swift, Vaudry, Pascuzzi and Curran. CARRIED.

6. (8)  
(a)

Recorded Vote

For: Acting Mayor D. Jones, Councillors R. Niro, M. Borowicz, J. Curran, D. Oraziatti, C. Swift, D. Amaroso, D. Brandt, S. Lepore, M. Pascuzzi

Against: nil

Absent: Mayor S. Butland, Councillors P. Vaudry, B. Irwin

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

- (a) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that City Council offer sincere congratulations to David and Jane Oraziatti on the birth of their daughter, Olivia, on Friday, April 7<sup>th</sup>, 2000.  
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 S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that all the by-laws listed under item 10 of the Agenda under date 2000 04 17 be approved. CARRIED.

- (a) Moved by Councillor D. Brandt  
Seconded by Councillor S. Lepore  
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 17<sup>th</sup> day of April, 2000. (Cheryl Hrynuk) CARRIED.

10. (a) Recorded Vote

For: Acting Mayor D. Jones, Councillors M. Borowicz, J. Curran, D. Oraziatti, S. Lepore, M. Pascuzzi

Against: Councillors R. Niro, C. Swift, D. Amaroso, D. Brandt

Absent: Mayor S. Butland, Councillors P. Vaudry, B. Irwin

- (b) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-102 being a by-law to amend By-law 3832 being a by-law to regulate the closing of shops, be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.

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

- (c) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-99 being a by-law to authorize an agreement with the City and STEM Engineering for engineering services concerning the reconstruction of Lake Street between MacDonald Avenue and Paladin Avenue be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.

- (d) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-103 being a by-law to authorize a lease agreement between the City and 1309972 Ontario Limited carrying on business as Brody's Bar and Grill for a term of five years commencing March 1, 2000 and expiring February 28, 2005 on the terms and conditions set out in the lease, be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.

- (e) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-105 being a by-law to assume for public use various parcels of land conveyed to the City be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.

- (f) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-106 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 17<sup>th</sup> day of April, 2000. CARRIED.

10. (g) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-107 being a by-law to permit the temporary closing of Cornwall Street to facilitate a Canada Day street party be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.
- (h) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-108 being a by-law to permit the temporary closing of Queen Street on May 28, 2000 to facilitate the Knights of Columbus Marian Day Rally Procession be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.
- (i) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that By-law 2000-109 being a by-law to amend the Cemetery By-law 99-208 be read three times and passed in Open Council this 17<sup>th</sup> day of April, 2000. CARRIED.
- (j) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that the report of the Commissioner of Engineering and Planning dated April 17<sup>th</sup>, 2000 concerning the construction of a concrete sidewalk on the north side of Wellington Street East from Trunk Road to Lake Street at a total estimated cost of \$110,000.00 under Section 12 of the Local Improvement Act; and be it further resolved that By-law 2000-100 authorizing the construction of the said works and capital expenditure be read a First and Second time this 17<sup>th</sup> day of April, 2000. CARRIED.

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

- (a) Moved by Councillor S. Lepore  
Seconded by Councillor D. Brandt  
Resolved that this Council shall now go into Caucus to discuss one personal matter about identifiable individuals. CARRIED.
- (b) Moved by Councillor C. Swift  
Seconded by Councillor M. Pascuzzi  
Be it resolved that the resolution to adjourn be amended to read. That this Council shall now take a break to go into Caucus to discuss the one item on the agenda and return to open session, prior to adjournment. CARRIED.

12.

**ADJOURNMENT**

Moved by Councillor R. Niro

Seconded by Councillor M. Borowicz

Resolved that this Council shall now adjourn. CARRIED.

**"STEPHEN E. BUTLAND"**  
**MAYOR**

**"DONNA P. IRVING"**  
**CLERK**