

MINUTES

REGULAR MEETING OF CITY COUNCIL

2001 12 17

5:00 P.M.

COUNCIL CHAMBERS

NOTE: Councillor-Elect Frank Manzo took the Declaration of Elected Office and Oath of Allegiance at the start of the Council Meeting.

PRESENT: Mayor J. Rowsell, Councillors D. Brandt, D. Jones, P. Vaudry, J. Caicco, T. Ryma, L. Turco, F. Manzo, P. Mick, N. DelBianco, D. Orazietti, B. Irwin, D. Amaroso

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, R. Avery, N. Apostle, B. Freiburger, M. Brechin, M. Kukoraitis, D. McConnell, B. Strapp, M. Murray, G. Mason

1. **ADOPTION OF MINUTES**

Moved by Councillor P. Vaudry

Seconded by Councillor D. Orazietti

Resolved that the Minutes of the Regular Council Meeting of 2001 12 03 and the Special Meeting of 2001 12 06 be approved.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor P. Vaudry

Seconded by Councillor J. Caicco

Resolved that the accounts of 2001 11 30 in the amount of \$1,189,824.42 and payrolls properly certified be passed and paid and the payrolls of the periods 2001 11 11 to 2001 11 24 in amounts of Hourly \$1,304,222.14 and Salaried \$288,868.25 as certified and paid be confirmed. CARRIED.

Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.

3. Moved by Councillor D. Oraziotti
Seconded by Councillor J. Caicco
Resolved that the accounts of 2001 12 07 in the amount of \$1,748,305.60 be passed and paid. CARRIED.

Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.

Councillor T. Ryma declared a pecuniary interest - employed by CTV Television Inc.

Councillor N. DelBianco declared a pecuniary interest - employed by Holiday Inns of Canada.

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

Councillor D. Amaroso declared a pecuniary interest - spouse employed by Algoma Steel Inc.

Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the Chief Administrative Officer be and hereby is authorized to approve, and the Commissioner of Finance and Treasurer to make the Accounts Payable and Payroll payments during the periods from December 18, 2001 to January 14, 2002. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Sherri Smith, Coordinator, Algoma and Area Regional Trails Council was in attendance to introduce this nonprofit organization.
- (b) Ian McMillan, Economic Development Corporation was in attendance concerning a new tourism program "Warm Up to Winter".
- (c) Steve Romiti, Chair, Sports Hall of Fame sub-committee of the Parks and Recreation Advisory Committee was in attendance concerning agenda item 5.(q).
- (d) Gary Dumanski, President of the Chamber of Commerce and Hans Geenan, Manager of Station Mall were in attendance concerning agenda item 6.(5)(a).
- (e) Frank Provenzano, Bob Dumanski, John Martella, a resident of 679 North Street and a resident of 691 North Street 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 P. Vaudry

Seconded by Councillor D. Orazietti

Resolved that all the items listed under date 2001 12 17 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) The report of the Director of Engineering Design and Buildings and resolution of Council dated 2001 11 05 concerning 1434 Peoples Road was received by Council.
- (b) Correspondence from the Federation of Canadian Municipalities concerning its 2001 Federal Budget submission was received by Council.
- (c) The letter from the Mayor of Yakutsk, Republic of Sakha concerning the air cargo transpolar project was received by Council.
- (d) Correspondence from the Ontario Fur Managers Federation (concerning a 30 month moratorium on regulating hunting and trapping of wolves in and around Algonquin Provincial Park); the County of Grey (concerning the creation of Smart Growth Management Councils); the Town of Laurential Hills (concerning an amendment to the Safe Street Act concerning fundraising by Fire Fighters); and the City of Kingston (concerning the Community Care Access Corporation Act) was received by Council.
- (e) The 2001 Summary of Algoma District Nuisance Bear Control prepared by Dennis Monaghan & Associates was received by Council.
- (f) The news release from the Ministry of Municipal Affairs and Housing concerning a new Municipal Act passed by the Ontario Legislature was received by Council.
- (g) Correspondence from the Association of Municipalities of Ontario concerning highlights of the Federal Budget that affects municipalities and the new Municipal Act was received by Council.
- (h) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor J. Caicco

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2001 12 17 be approved as requested. CARRIED.

5. (i) **Tender for Fibre Optic Traffic Control Cable**

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

Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziotti

Resolved that the report of the Manager of Purchasing, dated December 17, 2001 be endorsed and that the tender for the supply and delivery of Fibre Optic Traffic Control Cable, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(j) **Borrowing By-laws for 2002**

The report of the Commissioner of Finance and Treasurer was accepted by Council. The relevant by-laws 2001-227 and 2001-228 are listed under item 10 of the Minutes.

(k) **Performance Measurement**

The report of the Director of Financial Services was accepted by Council.

Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco

Resolved that the report of the Director of Financial Services dated 2001 12 17 concerning Performance Measurement be accepted as information. CARRIED.

(l) **2002 Community Reinvestment Fund Grant**

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

Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziotti

Whereas the Province of Ontario provided the City of Sault Ste. Marie with a 2002 Community Reinvestment Fund (CRF) allocation of \$20,746,000.;

And whereas the intended use of the CRF allocation was to mitigate increases in property taxes;

And whereas the Ministers of Finance and Municipal Affairs and Housing have requested that each municipality state the actual use of the 2002 CRF allocation;

Therefore be it resolved that the City of Sault Ste. Marie use the 2002 CRF allocation to offset current year operating expenses. CARRIED.

(m) **Peddler Licensing By-law - Amendment**

The report of the City Tax Collector was accepted by Council. The relevant by-law 2001-234 is listed under item 10 of the Minutes.

5. (m) Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the City Tax Collector dated 2001 12 17 concerning Peddler Licensing By-law be accepted and the recommendation that the By-law be amended in accordance with the report be approved. CARRIED.
- (n) **Banking Services**
The report of the Commissioner of Finance and Treasurer was accepted by Council.

Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziotti
Resolved that the report of the Commissioner of Finance and Treasurer dated 2001 12 17 concerning Banking Services be approved;
And further be it resolved that the agreement with the Royal Bank be extended for one year. CARRIED.
- (o) **Historic Sites Board By-law - Amendments**
The report of the Manager of Recreation and Culture was accepted by Council.
The relevant by-law 2001-229 is listed under item 10 of the Minutes.

Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the Manager of Recreation and Culture dated December 17, 2001 concerning the Historic Sites Board By-law be accepted, and the recommendations contained therein be endorsed. CARRIED.
- (p) **Ermatinger/Clergue Heritage Site - Clergue Blockhouse Restoration - Heritage Challenge Fund Application**
The report of the Historic Sites Board was accepted by Council.

Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the Historic Sites Board dated December 17, 2001 concerning the Clergue Blockhouse Restoration be accepted and the recommendations contained therein be endorsed. CARRIED.
- (q) **Sault Ste. Marie Sports Hall of Fame - Structure and Implementation**
The report of the Commissioner of Community Services was accepted by Council.

5. (q) Moved by Councillor P. Vaudry
Seconded by Councillor D. Orazietti
Resolved that the report of the Commissioner of Community Services dated December 17, 2001 concerning the structure and implementation of the Sault Ste. Marie Sports Hall of Fame be accepted and the recommendations contained therein be endorsed. CARRIED.
- (r) **Engineering Services Agreement for the Upgrading of the Clark Creek Pump Station**
The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant by-law 2001-231 is listed under item 10 of the Minutes.
- (s) **By-law Authorizing an Agreement With the Ministry of Northern Development and Mines Regarding the Growth Mandate Project**
The report of the City Solicitor was accepted by Council. The relevant by-law 2001-217 is listed under item 10 of the Minutes.
- (t) **New Comprehensive Zoning By-law**
The report of the Planning Division was accepted by Council.
- Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the Planning Division dated 2001 12 17 concerning the New Comprehensive Zoning By-law be accepted by Council as information and authorization of an application to FedNor for funding assistance in the amount of \$181,000. be approved. CARRIED.
- (u) **McNabb Street (Black Road to Adeline Street) Traffic Concerns**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor P. Vaudry
Seconded by Councillor D. Orazietti
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2001 12 10 concerning McNabb Street (Black Road to Adeline Street) Traffic Concerns be accepted as information. CARRIED.
- (v) **Usage of Road Salt**
The report of the Commissioner of Public Works and Transportation was accepted by Council.

5. (v) Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the Commissioner of Public Works and Transportation dated 2001 12 10 concerning the Usage of Road Salt be accepted as information. CARRIED.
- (w) **Artificial Flowers - Mausoleum/Columbariums**
The report of the Manager of Cemeteries was accepted by Council. The relevant by-law 2001-235 listed under item 10 of the Minutes.
- (x) The news release from the Ministry of Health and Long-Term Care concerning support for a new Sault Area Hospital was received by Council.

PART TWO - REGULAR AGENDA

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

6. (5) **LEGAL**

(a) **Boxing Day Openings**

The report of the Assistant City Solicitor was accepted by Council.

Moved by Councillor D. Brandt

Seconded by Councillor D. Jones

Resolved that the report of the Assistant City Solicitor dated 2001 12 17 concerning Box Day Openings be accepted and the recommendation that City Council **deny** Canadian Tire's request and seek input from local retailers and the Chamber of Commerce prior to any amendment being made, be approved. CARRIED.

Mover Councillor P. Vaudry

Seconder Councillor D. Oraziotti

Resolved that City Council authorizes the suspension of the City's early closing by-law which prohibits the opening of retail stores on Boxing Day for the year 2001 only so as to allow any retail merchants who wish to open, to do so for this year only;

And further be it resolved that the City Solicitor seek input from local retailers, Merchants Associations and the Chamber of Commerce regarding future years' openings and report back to City Council with this information as well as any surveys of other municipalities on this matter. WITHDRAWN BY MOVER AND SECONDER.

6. (5)
(a) Mover Councillor D. Orazietti
Seconded Councillor J. Caicco
Resolved that City Council authorizes the suspension of the City's early closing by-law which prohibits the opening of retail stores on Boxing Day for the year 2002. WITHDRAWN BY MOVER AND SECONDER.

6. (6) **PLANNING**

- (a) **Application No. A-25-01-Z - 960 Airport Road - Action Advertising - Request to Permit Billboard Sign on Property**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Orazietti

Resolved that the report of the Planning Division dated 2001 12 17 concerning Application No. A-25-01-Z - Action Advertising be accepted and the Planning Director's recommendation that this application BE DEFERRED until the completion of the comprehensive signage policy report be approved. CARRIED.

- (b) **Application No. A-33-01-Z.OP - 940 and 948 Second Line West - Avery Brothers Limited - Request to Expand Present Uses on the Property**

The reports of the Planning Division were accepted by Council.

Moved by Councillor P. Vaudry

Seconded by Councillor D. Orazietti

Resolved that the report of the Planning Division dated 2001 12 17 concerning Application No. A-33-01-Z.OP be accepted and the recommendation that the application BE DEFERRED to permit a further review based on limited uses be approved. CARRIED.

Moved by Councillor P. Vaudry

Seconded by Councillor J. Caicco

Resolved that the report of the Planning Division dated 2001 12 17 concerning Application No. A-33-01-Z.OP - Avery Brothers Limited be accepted and the recommendation that Council deny the application be endorsed. OFFICIALLY READ NOT DEALT WITH.

- (c) **Application No. A-34-01-Z - 11 White Oak Drive - McRain Developments Inc. - Request to Permit Storage Warehouse and Depot for Recycling and Storage of Cardboard and Paper Products**

The report of the Planning Division was received by Council.

6. (6)

(c) Moved by Councillor B. Irwin
Seconded by Councillor F. Manzo

Whereas there are many concerns addressing 11 White Oak Drive; and,
Whereas the area residents and applicants had no consultations to solve any of their concerns;

Therefore be it resolved that Application No. A-34-01-Z BE DEFERRED in order that area residents attempt to solve all or some of their problems with the applicant and report back to Council. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, T. Ryma, F. Manzo, P. Mick, D. Orazietti, B. Irwin

Against: Councillors D. Brandt, D. Jones, P. Vaudry, L. Turco, N. DelBianco, D. Amaroso

Absent: nil

Moved by Councillor P. Vaudry
Seconded by Councillor D. Orazietti

Resolved that the report of the Planning Division dated 2001 12 17 concerning Application No. A-34-01-Z - McRain Developments Inc. be accepted and the recommendation that Council approve the application subject to the five (5) conditions contained in the report be endorsed. OFFICIALLY READ NOT DEALT WITH.

(d) **Application No. A-35-01-Z.OP - 475 Airport Road - Sault Ste. Marie Airport Development Corporation - Request to Permit Various Uses Including Outdoor Multi-Functional Recreational Venues, Commercial/Industrial Uses, Storage/Warehouse Facilities, Lodging/Meeting Rooms, Convenience Retail**

The reports of the Planning Division were accepted by Council.

Moved by Councillor P. Vaudry
Seconded by Councillor D. Amaroso

Resolved that Application No. A-35-01-Z.OP - Sault Ste. Marie Airport Development Corporation, BE DEFERRED to the March 4th Council Meeting at which time a full Development Plan for the entire 1800 acre parcel has been prepared for consultation with abutting neighbourhoods and that "blanket zoning" for the whole site not be considered given the size of the site and the possible impacts on abutting properties. CARRIED.

6. (6)
(d) Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that the report of the Planning Division under date 2001 12 17 concerning Application A-35-01-Z.OP - Sault Ste. Marie Airport Development Corporation be accepted and the recommendation that Council approve the application subject to the five (5) conditions contained in the report be endorsed. OFFICIALLY READ NOT DEALT WITH.

6. (7) **PUBLIC WORKS AND TRANSPORTATION**

(a) **City Welcome Signs**

The report of the Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor P. Vaudry
Seconded by Councillor D. Orazietti

Resolved that the report of the Commissioner of Public Works and Transportation dated 2001 12 10 concerning the City Welcome Signs be accepted as information. CARRIED.

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

- (a) Moved by Councillor D. Orazietti
Seconded by Councillor D. Amaroso

Whereas significant community concern arose from decisions surrounding statues at the John Rhodes Community Centre, and;

Whereas there is a need to review the policies and procedures between City Council and staff with regard to decision making and decision implementation;

Therefore be it resolved that the Chief Administrative Officer provide a written report of the current policies and procedures for this purpose and outline the sequence of events which created community concern at the John Rhodes facility. CARRIED.

- (b) Moved by Councillor J. Caicco
Seconded by Councillor D. Orazietti

Whereas there have been concerns expressed by parents of students at Parkland School about safety in crossing the intersection of Birchwood and Amber Streets;

Therefore be it resolved that the Public Works and Transportation Department review the need for a school crossing guard at this intersection and report back to Council. CARRIED.

- (c) The letter from the Downtown Association concerning the proposed "Walk of Fame" was received by Council.

7. (c) Moved by Councillor J. Caicco
Seconded by Councillor D. Oraziotti
Whereas the recognition of individuals who have made significant contributions to Sault Ste. Marie builds community pride; and
Whereas such recognition also demonstrates community appreciation to those who have made outstanding achievements; and
Whereas developing a Sault Ste. Marie "Walk of Fame" will establish greater visibility and permanence in recognizing community members; and
Whereas a Walk of Fame will also assist in enhancing tourism in our community; and
Whereas the Downtown Association and the City Medal of Merit Committee have been consulted regarding the Walk of Fame concept;
Therefore be it resolved that City Council endorse a Sault Ste. Marie "Walk of Fame" to be developed in cooperation with Council, the Downtown Association and the City Medal of Merit Committee. It is the intent of Council that a star with the individuals name be imbedded along Queen Street. Further, that Councillor James Caicco chair the Walk of Fame Committee, which will consist of the previously mentioned partners, with specific details and costs to be returned to Council for final approval. 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 J. Caicco
Seconded by Councillor P. Vaudry
Resolved that all the by-laws listed under item 10 of the Agenda under date 2001 12 17 be approved. CARRIED.
- (a) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-217 being a by-law to authorize an agreement between the City and the Minister of Northern Development and Mines concerning the Ministry providing financial assistance for the City's Growth Mandate Initiative, be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (b) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-227 being a by-law to authorize the borrowing of \$10,000,000.00 to meet current expenditures until taxes are collected be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.

10. (c) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-228 being a by-law to authorize the borrowing of \$10,000,000.00 to finance capital expenditures for short and long term purposes be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (d) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-229 being a by-law to re-establish the Sault Ste. Marie Historic Sites Board and to repeal By-law 97-113 be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (e) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-231 being a by-law to authorize an agreement with the City and Wm. R. Walker Engineering Inc. to upgrade the Clark Creek Pump Station be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (f) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-232 being a by-law to amend Schedule "A" to Traffic By-law 77-200 be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (g) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-233 being a by-law to authorize a Letter of Understanding with the City and InterVistas Consulting Inc. for an analysis of the potential for the Sault Ste. Marie and North Bay airports to develop as international cargo gateways be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (h) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-234 being a by-law to amend the Pedlar By-law 84-195, be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.
- (i) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that By-law 2001-235 being a by-law to amend Section 6 of City of Sault Ste. Marie Cemetery Regulation By-law 99-208 be read three times and passed in Open Council this 17th day of December, 2001. CARRIED.

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

- (a) Moved by Councillor P. Vaudry
Seconded by Councillor D. Oraziotti
Resolved that this Council shall now go into Caucus to discuss one legal (solicitor-client privilege) and one item containing personal matters about identifiable individuals. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor P. Vaudry
Seconded by Councillor J. Caicco
Resolved that this Council shall now adjourn. CARRIED.

"JOHN ROWSWELL"
MAYOR

"DONNA P. IRVING"
CLERK