

MINUTES

REGULAR MEETING OF CITY COUNCIL

2001 08 13

4:30 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowswell, Councillors D. Brandt, D. Jones, P. Vaudry, J. Caicco, T. Ryma, L. Turco, D. Amaroso, B. Irwin, D. Oraziotti, N. DelBianco, P. Mick

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, B. Freiburger, J. Luszka, D. McConnell, M. Brechin, B. Strapp, D. Overboe

ABSENT: Councillor T. Austin

1. **ADOPTION OF MINUTES**

Moved by Councillor B. Irwin

Seconded by Councillor D. Amaroso

Resolved that the Minutes of the Regular Council Meeting of 2001 07 23 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the accounts of 2001 07 20 in the amount of \$887,326.49 be passed and paid. CARRIED.

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

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the accounts of 2001 07 27 in the amount of \$919,552.51 and payrolls properly certified be passed and paid and the payrolls of the periods 2001 07 08 to 2001 07 21 in amounts of Hourly \$1,386,541.32 and Salaried \$274,969.04 as certified and paid be confirmed. CARRIED.

3. Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services and employed by YES-FM Radio.

Moved by Councillor D. Oraziotti

Seconded by Councillor D. Jones

Resolved that the accounts of 2001 08 03 in the amount of \$2,476,637.56 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.

Mayor J. Rowsell declared a pecuniary interest - R. F. Contracting is a client of Engineering firm.

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.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Brigitte Samp, Public Relations Chair, Humane Society was in attendance concerning Proclamation - National Homeless Animals Day.
- (b) Jane Darlow, Treasurer of Farmers' Market was in attendance concerning Proclamation - Farmers' Market Week.
- (c) Kim Zettler, Downtown Association was in attendance concerning agenda item 5.(h).
- (d) Bruce Strapp, President and C.E.O., Economic Development Corporation and Hal McGonigal were in attendance concerning agenda item 6.(8)(a).
- (e) Bruce Strapp, President and C.E.O., Economic Development Corporation and Duane Buchanan were in attendance concerning agenda item 6.(8)(b).
- (f) Bob Paciocco was in attendance concerning agenda item 6.(6)(b).
- (g) Peter Bortolussi was in attendance concerning agenda items 6.(6)(c); 6.(6)(d) and 6.(6)(e).

PART ONE - CONSENT AGENDA

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

Moved by Councillor T. Ryma

Seconded by Councillor D. Amaroso

Resolved that all the items listed under date 2001 08 13 - Part One - Consent Agenda (save and except 5.(r) - withdrawn by staff) be approved as recommended. CARRIED.

- (a) The letter from the President, Ontario Traffic Conference concerning the 2003 Annual Convention was received by Council.
- (b) The letter from the Director of Services, Louth County, Ireland concerning the recent visit in conjunction with the Trade Bridge 2001 event was received by Council.
- (c) The letter from the Attorney General in response to a recent Council resolution concerning Ontario Municipal Board process was received by Council.
- (d) Letters from the President, Algoma University College requesting that City Council appoint a member to the Charter Advisory Committee (concerning independent status for Algoma University College) and to the Advocacy Committee for the Learning Pavilion/IT Centre were accepted by Council.

Moved by Councillor T. Ryma

Seconded by Councillor D. Jones

Resolved that Councillor David Oraziatti be appointed to the Algoma University College - Ad-Hoc Charter Advisory Committee. CARRIED.

Councillor B. Irwin declared a pecuniary interest - spouse employed by Algoma University College.

Moved by Councillor T. Ryma

Seconded by Councillor D. Amaroso

Resolved that Councillor Pat Mick be appointed to the Algoma University College - Advocacy Committee for the Learning Pavilion/IT Centre. CARRIED.

Councillor B. Irwin declared a pecuniary interest - spouse employed by Algoma University College.

- (e) The letter from Wood Works Awards Program and Gala concerning nominations for the "Show Us Your Wood" Award was received by Council.

5. (f) Correspondence from the Township of West Grey (concerning the Government of Ontario resolving the medical care practitioner shortage in Ontario); the Township of Matachewan (concerning opposing proposed amendments to Ontario Fishery Regulations); the Canadian Outdoor Heritage Alliance (concerning membership or a donation to the Alliance); the City of Cambridge (concerning salary increased for members of parliament) was received by Council.
- (g) Correspondence concerning request for permission to hold a Special Occasion permit event at an outdoor municipal facility was accepted by Council.

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the following request to hold a Special Occasion permit event at a municipal facility on the stated date and time be endorsed by City Council:

- 1) Roberta Bondar Pavilion
Sault Area Hospitals Foundation
September 9 12:00 noon to 5:00 p.m. CARRIED.

- (h) Correspondence from the Downtown Association requesting permission for temporary street closings for (1) Queen Street from East to Dennis Streets on 2001 08 18 from 12:00 noon to 6:00 p.m. for Let It Ride - Harley Davidson Rally and (2) Queen Street from East to Brock Streets on 2001 08 25 from 12:00 noon to 6:00 p.m. for a Nationally Televised Event were accepted by Council. The relevant by-law 2001-124 is listed under item 10 of the Minutes.
- (i) The letter from the President and C.A.O., Municipal Property Assessment Corporation in response to a recent Council resolution was received by Council.

(j) **Staff Travel Requests**

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

Moved by Councillor T. Ryma

Seconded by Councillor D. Amaroso

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2001 08 13 be approved as presented. CARRIED.

(k) **Citizen Appointment - Planning Advisory Committee**

Moved by Councillor T. Ryma

Seconded by Councillor D. Jones

Resolved that the citizen appointment of Randall Glibota to fill a vacancy on the Planning Advisory Committee for a three year period that expires on December 31, 2003 be approved. CARRIED.

5. (l) **Tender for Removal and Replacement of Chain Link Fencing - V. E. Greco Pool**

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

Moved by Councillor B. Irwin

Seconded by Councillor D. Amaroso

Resolved that the report of the Manager of Purchasing dated August 13, 2001 be endorsed and that the tender for the Removal and Replacement of Chain Link Fencing at V. E. Greco Pool, required by the Community Services Department, be awarded as recommended. CARRIED.

(m) **Tender for Maintenance Hole Frames and Covers and Catchbasin Frames and Grates**

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

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the report of the Manager of Purchasing dated August 13, 2001 be endorsed and that the tender to supply and deliver Maintenance Hole Frames and Covers and Catchbasin Frames and Grates, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

(n) **Proposal for the Collection and Disposal of Household Special Waste**

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

Moved by Councillor T. Ryma

Seconded by Councillor D. Amaroso

Resolved that the report of the Manager of Purchasing dated August 13, 2001 be endorsed and that the proposal for the Collection and Disposal of Household Special Waste, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

(o) **Continuous Quality Improvement Program (Corporate Strategic Plan)**

The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor T. Ryma

Seconded by Councillor D. Jones

Resolved that the report of the Commissioner of Human Resources dated 2001 08 13 concerning Continuous Quality Improvement Program be accepted and the recommendation that the initial start up costs in the amount of \$50,100.00 be approved with funds from the OMERS Premium Reduction Reserve Account and further that an annual budget of \$50,100.00 be established for the Program. CARRIED.

5. (p) **Rehabilitation of Sussex Road**

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

Moved by Councillor B. Irwin

Seconded by Councillor D. Amaroso

Resolved that the report of the Environmental/Construction Engineer dated 2001 08 13 concerning Rehabilitation of Sussex Road be accepted and the recommendation that the street be milled and overlaid subject to funding in the next one to five years, be approved. CARRIED.

(q) **Funding and Service Request From Naturally Green Inc.**

The report of the Director of Engineering Design and Buildings was accepted by Council.

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the report of the Director of Engineering Design and Buildings dated 2001 08 13 concerning Funding and Service Request from Naturally Green Inc. be accepted and the recommendation that EnerGuide for Houses brochures and other information be distributed with building permits and through the PUC Inc., be approved. CARRIED.

(r) **Civic No. 99 Prentice Avenue**

The report of the Building Inspector was received by Council. A further report of staff requesting that the item be withdrawn from the agenda was accepted by Council.

Moved by Councillor T. Ryma

Seconded by Councillor D. Amaroso

Resolved that the report of the Building Inspector dated 2001 08 13 concerning Civic No. 99 Prentice Avenue be accepted and the recommendation that the Corporation hire the forces necessary to demolish the vacant dwelling and remove and dispose of any debris on the property, fill in the basement and leave the property in a graded and level condition adding the costs of this action to the taxes of the subject property, be approved. WITHDRAWN AT THE REQUEST OF STAFF.

(s) **Provincial Offences Division Status Report**

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

Moved by Councillor T. Ryma

Seconded by Councillor D. Jones

Resolved that the report of the Assistant City Solicitor dated 2001 08 13 concerning Provincial Offences Division Status Report be accepted as information. CARRIED.

5. (t) **105 - 107 Forest Avenue**
The report of the Assistant City Solicitor was accepted by Council.
- Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that the report of the Assistant City Solicitor dated 2001 08 13 concerning 105 - 107 Forest Avenue be accepted as information. CARRIED.
- (u) **Request to Repeal Deeming By-law for Lots 400 to 403 in the Hamilton Subdivision - 17 Hess Street and 55 Cottage Lane**
The report of the City Solicitor was accepted by Council. The relevant by-laws 2001-149 and 2001-150 are listed under item 10 of the Minutes.
- (v) Correspondence from the Minister of Citizenship concerning disability legislation was received by Council.

PART TWO - REGULAR AGENDA

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

6. (6) **PLANNING**

(a) **Amendment to the Signs Section (10) of By-law 76-185 - File No. B.3.1.10 Kia Car Dealership**

The reports of the Planning Division were received by Council.

Moved by Councillor B. Irwin
Seconded by Councillor D. Jones

Resolved that the report of the Planning Division under date 2001 08 13 concerning File No. B.3.1.10 - Kia Car Dealership, be accepted and the recommendation that City Council approve the request for a variance from By-law 76-185 allowing the sign in the area of Option "A", be endorsed. WITHDRAWN AT THE REQUEST OF THE PROPERTY OWNER.

(b) **Application No. A-19-01-Z.OP - 72 Northern Avenue East - Gryphon Holdings (Sault) Inc. - Request to Convert Existing Building to a Private School and Day Care Centre**

The report of the Planning Division was accepted by Council.

Moved by Councillor T. Ryma
Seconded by Councillor D. Amaroso

Resolved that the report of the Planning Division under date 2001 08 13 concerning Application No. A-19-01-Z.OP - Gryphon Holdings (Sault) Inc., 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)

(c) **Application No. A-20-01-Z.OP - 56 and 64 Caesar Road - 510127 Ontario Limited - Request to Accommodate Possible Utilization of Subject Property in Conjunction with Property at 197 Trunk Road**

A report of the Planning Division was accepted by Council.

Moved by Councillor T. Ryma

Seconded by Councillor D. Jones

Resolved that the report of the Planning Division under date 2001 08 13 concerning Application No. A-20-01-Z.OP - 510127 Ontario Ltd., be accepted and that the application BE DEFERRED in order to permit the applicant and the residents an opportunity to discuss issues and concerns relating to the application. CARRIED.

(d) **Application No. A-21-01-Z - 1415 Trunk Road - Gateview Realty Inc. - Request to Remove "H" Holding Designation to Permit B8 Uses and to Permit Erection of Double Billboard Sign on Property**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Irwin

Seconded by Councillor D. Amaroso

Resolved that the report of the Planning Division under date 2001 08 13 concerning Application No. A-21-01-Z - Gateview Realty Inc. be accepted and the recommendation that City Council approve the application subject to the 3 conditions contained in the report, be endorsed. CARRIED.

Councillor N. DelBianco declared a pecuniary interest - applicant is a relative.

(e) **Application No. A-22-01-Z.OP - 219 Trunk Road and 100/100A Nicolas Street - 510127 Ontario Limited - Request to Facilitate Future Commercial Development**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Irwin

Seconded by Councillor D. Jones

Resolved that the report of the Planning Division under date 2001 08 13 concerning Application No. A-22-01-Z.OP - 510127 Ontario Ltd., be accepted and that the application BE DEFERRED in order to permit the applicant and the residents an opportunity to discuss issues and concerns relating to the application. CARRIED.

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

(a) **Application from Tourism Solution Council (BEC), “Heart of the Great Lakes Project” for the City’s Economic Development Fund**

The report of the President and C.E.O., Economic Development Corporation was accepted by Council.

Moved by Councillor T. Ryma

Seconded by Councillor D. Jones

Resolved that the report of the President and C.E.O., Economic Development Corporation dated 2001 08 07 be accepted and the recommendation concerning support for an Economic Development Fund application in the amount of \$25,000.00 from the BEC Tourism Solution Council for the “Heart of the Great Lakes Project” be approved. CARRIED.

(b) **City Economic Development Fund Request**

The report of the President and C.E.O., Economic Development Corporation was accepted by Council.

Mover Councillor B. Irwin

Seconder Councillor D. Amaroso

Resolved that the report of the President and C.E.O., Economic Development Corporation dated 2001 08 13 concerning City Economic Development Fund Request be accepted and the recommendation concerning support for an Economic Development Fund application for Searchmont Development Inc. in the amount of \$25,000.00 (to support development costs) plus \$125,000.00 (towards working capital), be approved. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors D. Brandt, D. Jones, P. Vaudry, J. Caicco, T. Ryma, L. Turco, D. Amaroso, B. Irwin, D. Oraziatti, N. DelBianco, P. Mick

Against: nil

Absent: Councillor T. Austin

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

- (a) Moved by Councillor B. Irwin
Seconded by Councillor N. DelBianco
Whereas the Ministry of Transportation has indicated to City Council that it could take seven years to build a by-pass on Highway 17 east of Sault Ste. Marie; and
Whereas on May 28, 2001 City Council passed a resolution asking the Ministry of Transportation to expedite construction of the by-pass; and
Whereas on August 1, 2001 the Minister of Northern Development announced the 2001/02 funding and projects list for Northern Ontario highways; and
Whereas on August 3, 2001 five Sault area residents, including three children, were killed on Highway 17 East near Garden River;
Be it resolved that the City of Sault Ste. Marie strongly reiterate its request of the government of Ontario to expedite construction of the by-pass;
Further be it resolved that this resolution be forwarded to the Minister of Transportation, the Minister of Northern Development and Mines and the Minister Responsible for Native Affairs for their consideration and response. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors D. Brandt, D. Jones, P. Vaudry, J. Caicco, T. Ryma, L. Turco, D. Amaroso, B. Irwin, D. Oraziotti, N. DelBianco, P. Mick

Against: nil

Absent: Councillor T. Austin

- (b) Mover - Councillor D. Brandt
Seconder - Councillor B. Irwin
Resolved that the Economic Development Corporation report back to Council in two weeks on the procedures and protocols that have been used to appoint Economic Development Corporation Board members since the last review of the E.D.C. TABLED.

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

- (a) Moved by Councillor B. Irwin
Seconded by Councillor d. Amaroso
Resolved that all the by-laws listed under item 10 of the Agenda under date 2001 08 13, save and except By-laws 151, 152 and 153, be approved. CARRIED.
- (b) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-151 being a by-law to appoint David Overboe as Commissioner of Social Services Department effective October 31st, 2001 be read three times and passed in Open Council this 13th day of August, 2001. WITHDRAWN FROM AGENDA AT REQUEST OF STAFF.
- (c) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-152 being a by-law to appoint Nick Apostle as Commissioner of Community Services Department effective October 31st, 2001 be read three times and passed in Open Council this 13th day of August, 2001. WITHDRAWN FROM AGENDA AT REQUEST OF STAFF.
- (d) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-153 being a by-law to appoint Norm Fera as Manager of Recreation and Facilities effective October 31st, 2001 be read three times and passed in Open Council this 13th day of August, 2001. WITHDRAWN FROM AGENDA AT REQUEST OF STAFF.
- (e) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-124 being a by-law to permit the temporary closings of Queen Street East between East Street and Dennis Street on August 18, 2001 and Queen Street between East Street and Brock Street on August 25, 2001 be read three times and passed in Open Council this 13th day of August, 2001. CARRIED.
- (f) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-145 being a by-law to amend Schedule J of Traffic By-law 77-200 be read three times and passed in Open Council this 13th day of August, 2001. CARRIED.

10. (g) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-146 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 concerning 116 Third Line East be read three times and passed in Open Council this 13th day of August, 2001. (1187845 Ontario Ltd.) CARRIED.
- (h) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-147 being a by-law to amend Sault Ste. Marie Zoning By-laws 4500 and 4501 concerning 235 West Street and further be it resolved that By-law 2001-148 being a by-law to designate 235 West Street as an area of site plan control be read three times and passed in Open Council this 13th day of August, 2001. (Tyan Kan Inc.) CARRIED.
- (i) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-149 being a by-law to remove lots 400, 401, 402 and 403 in Hamilton Subdivision, Registered Plan 58 from the effects of By-law 3523, be read three times and passed in Open Council this 13th day of August, 2001. CARRIED.
- (j) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-150 being a by-law to re-impose subdivision control on certain lots in the Hamilton Subdivision, be read three times and passed in Open Council this 13th day of August, 2001. CARRIED.
- (k) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-154 being a by-law to amend Zoning By-law 4500 and 4501 concerning lands located at 72 Northern Avenue be read three times and passed in Open Council this 13th day of August, 2001. (Gryphon Holdings Inc.) CARRIED.
- (l) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-155 being a by-law to adopt Amendment No. 39 to the Official Plan be read three times and passed in Open Council this 13th day of August, 2001. (Gryphon Holdings Inc.) CARRIED.

10. (m) Moved by Councillor B. Irwin
Seconded by Councillor D. Amaroso
Resolved that By-law 2001-156 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and By-law 4501 concerning lands located at 1415 Trunk Road and further be it resolved that By-law 2001-157 being a by-law to designate 1415 Trunk Road as an area of site plan control be read three times and passed in Open Council this 13th day of August, 2001. (Gateview Realty) CARRIED.

Councillor N. DelBianco declared a pecuniary interest - applicant is a relative.

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

- (a) Moved by Councillor B. Irwin
Seconded by Councillor D. Jones
Resolved that this Council shall now go into Caucus to discuss one labour relations matter, two property (possible acquisition of land), one solicitor-client matter and one matter containing personal information about identifiable individuals. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor T. Ryma
Seconded by Councillor D. Jones
Resolved that this Council shall now adjourn. CARRIED.

"JOHN ROWSWELL"
MAYOR

"DONNA P. IRVING"
CLERK