

MINUTES

REGULAR MEETING OF CITY COUNCIL

2002 09 23

5:00 P.M.

COUNCIL CHAMBERS

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

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, N. Apostle, M. Murray, M. Brechin, J. Luszka, D. McConnell, D. Bourn, B. Strapp, P. McAuley

1. **ADOPTION OF MINUTES**

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that the Minutes of the Regular Council Meeting of 2002 09 09 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor B. Hayes

Seconded by Councillor N. DelBianco

Resolved that the accounts of 2002 09 06 in the amount of \$1,348, 632.56 and payrolls properly certified be passed and paid and the payrolls of the periods 2002 08 18 to 2002 08 31 in amounts of Hourly \$1,442,458.92 and Salaried \$326,674.72 as certified and paid be confirmed. CARRIED.

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

Mayor J. Rowswell declared a pecuniary interest - China Steel is a client of engineering firm.

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

3. Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that the accounts of 2002 09 13 in the amount of \$2,008,650.92 be passed and paid. CARRIED.

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

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.

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

Councillor B. Irwin declared a pecuniary interest - employed by Sault Area Hospitals.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Calna McGoldrick, on behalf of the Soup Kitchen, was in attendance to notify the community of the need for donations of food to the Soup Kitchen.
- (b) Doug McChesney, Chair Cultural Advisory Board was in attendance concerning presentation of the 2002 Cultural Advisory Board Community Recognition Award to Harry Houston and Jim Franz.
- (c) Don Kaupp, Assistant Fire Chief was in attendance concerning Proclamation - Fire Prevention Week.
- (d) Michelle Luckhardt, Public Health Nurse was in attendance concerning Proclamation - Breast Health Awareness Month.
- (e) Lilly Werner, B.E.S.T. Group (Breastfeeding Education Support Team) was in attendance concerning Proclamation - Breastfeeding Week.
- (f) Norm MacKay, on behalf of United Steelworkers of America and the Steel Trade Campaign was in attendance concerning agenda item 5.(a).
- (g) Hal McGonigal, on behalf of BEC Quality Leadership Team and Nancy Rosset, BEC Co-ordinator were in attendance concerning agenda item 5.(r).
- (h) Bob Paciocco was in attendance concerning agenda item 6.(6)(a).

4. (i) Bruce Strapp, President and CEO, EDC; Dr. Celia Ross and Bud Wildman, A.U.C. and representatives from Sault Ste. Marie Innovation Centre and PUC Inc., were in attendance concerning agenda item 6.(8)(a).

PART ONE - CONSENT AGENDA

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

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that all the items listed under date 2002 09 23 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from the Union Co-ordinator, United Steelworkers of America concerning the Steel Trade Campaign - plan of action phase 2 - was received by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Whereas the United Steelworkers, together with the Canadian steel industry and municipalities all across Canada called on the Government of Canada to protect our national interests against low-priced foreign steel being dumped into Canada; and

Whereas the City of Sault Ste. Marie is a community that depends on the economic contribution of the steel industry and the thousands of jobs that are either directly or indirectly created and sustained by it; and

Whereas the Canadian International Trade Tribunal (CITT) conducted hearings in July, 2002 that failed to take into account the timing or scope of the problem of off-shore dumping and subsequently in August, 2002 the CITT submitted to the Government recommendations that fail to protect the Canadian industry or jobs; Therefore be it resolved that the City of Sault Ste. Marie requests that the Government of Canada:

- 1) Maintain its commitment to monitor steel activity in all areas not covered by the injury finding;
- 2) Set aside the remedy recommendations of the Tribunal;
- 3) Instruct officials of the appropriate government department to fashion remedies that are consistent with those of Canada's major trading partners, the United States and the European Union;
- 4) Provide a parallel exemption for the United States, equivalent to their exemption of the Canadian steel industry;

Be it further resolved that the Government of Canada:

- 1) Ensure an open and accountable process for the selection of the Canadian International Trade Tribunal (CITT) members;
- 2) Initiate a fundamental review of Canada's trade administration process as a guarantor of fair trade for all Canadians. CARRIED.

5. (a) 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.

- (b) The letter to Council from the Peterborough Flood Relief Committee thanking Council for its recent financial contribution to the fundraising campaign was received by Council.
- (c) The letter from Ontario Winter Carnival Bon Soo was received by Council.

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that City Council approve the request of the General Manager, Ontario Winter Carnival Bon Soo for the use of the former A.B. McLean site for the 11th Annual Bon Soo Fantasy Kingdom and further that Council approve the request concerning the possible use of the City's large snowblower for construction of the Fantasy Kingdom, subject to weather conditions that the City may be experiencing at the time, be approved. CARRIED.

- (d) The Outstanding Council Resolutions List dated September 9, 2002 was received by Council.
- (e) Correspondence from the City of Elliot Lake (concerning proposed changes to the Federal Electoral Boundaries) was received by Council.
- (f) Correspondence from the Minister of Enterprise Opportunity and Innovation concerning the 2002 Ontario Global Traders Awards was received by Council.

(g) **Staff Travel Requests**

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

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that the travel requests contained in the report of the Chief Administrative Officer dated 2002 09 23 (plus Joe Sniezek to North Bay on October 10th, 2002) be approved as requested. CARRIED.

(h) **Appointments to Board and Committees**

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that citizens Mary Borowicz and Mike Sanzosti be appointed to the City Council Organizational Structure Review Committee for the period September 23, 2002 until completion of the project. CARRIED.

5. (h) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that Councillors Bryan Hayes and Peter Vaudry be nominated to the Sault Area Hospital Board of Directors. CARRIED.

Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that Councillor Brady Irwin be appointed to the Sault Ste. Marie Economic Development Corporation Board of Directors from September 23, 2002 - December 31, 2002. CARRIED.

- (i) **Tenders for Equipment - Public Works & Transportation Department**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Manager of Purchasing, dated September 23, 2002 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, required by Public Works & Transportation Department, be awarded as recommended. CARRIED.

- (j) **2002 Tax Billing**
The report of the City Tax Collector was accepted by Council. The relevant By-law 2002-204 is listed under Item 10 of the Minutes.

Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that the report of the City Tax Collector regarding the 2002 Commercial, Industrial and Multi-Residential final tax billing be accepted/approved. CARRIED.

- (k) **PA/Control Booth and Deck for the Rocky DiPietro Football Field and Jo Forman Track**
The report of the Commissioner of Community Services was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Commissioner of Community Services dated 2002 09 23 concerning Proposed Construction of a PA/Control Booth and Deck for the Rocky DiPietro Football Field and Jo Forman Track be accepted and the recommendation contained therein, be approved. CARRIED.

- (l) **Agreement for Rental of Vacant Space at the John Rhodes Community Centre**
The report of the Commissioner of Community Services was accepted by Council. The relevant By-law 2002-201 is listed under Item 10 of the Minutes.

5. (m) **Results of the Communities in Bloom Competition**
The report of the Assistant Manager, Recreation and Culture Division was accepted by Council.
- Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that the report of the Assistant Manager Recreation and Culture Division under date September 23, 2002 concerning the Communities in Bloom competition results be accepted as information. CARRIED.
- (n) **Consulting Services - Varsity Avenue Pump Station Replacement**
The report of the Director of Engineering - Design and Buildings was accepted by Council. The relevant By-law 2002-199 is listed under Item 10 of the Minutes.
- (o) **Conveyance of Closed Portions of James and West Streets to Algoma Central Railway Inc.**
The report of the City Solicitor was accepted by Council. The relevant By-law 2002-198 is listed under Item 10 of the Minutes.
- (p) **New Comprehensive Zoning By-law - FedNor Funding**
The report of the Planning Division was accepted by Council. The relevant By-law 2002-202 is listed under Item 10 of the Minutes.
- Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that the report of the Planning Division under date 2002 09 23 concerning the new comprehensive Zoning By-law - FedNor Funding be accepted and the recommendation that Council accept and approve the Terms and Conditions of a \$116,800 FedNor grant to assist with the cost of preparing a new comprehensive Zoning By-law and further that City Council express appreciation to the Secretary of State for the Federal Government's support with this important economic development and diversification initiative, be endorsed. CARRIED.
- (q) **Billboard Signs - Public Hearing November 4, 2002**
The report of the Planning Division was accepted by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Planning Division under date 2002 09 23 concerning Billboard Signs be accepted as information and the recommendation that the report be scheduled for a Public Hearing of Council on November 4, 2002 and that copies of the report be provided to the industry for review and input, be endorsed. CARRIED.
- (r) **Becoming a Quality Community**
The report of the BEC Co-ordinator dated 2002 09 23 was accepted by Council.

5. (r) Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that the report of the BEC Co-ordinator dated 2002 09 23 concerning Becoming a Quality Community be accepted as information. CARRIED.

(s) **Council Travel**

Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that Mayor John Rowsell be authorized to travel to North Bay on October 9 - 11, 2002 for the Northern Ontario Business Awards and a Northern Ontario Mayors Coalition Meeting at an estimated cost of \$950.00, be approved. CARRIED.

PART TWO - REGULAR AGENDA

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

6. (6) **PLANNING**

(a) **Application No. A-26-02-Z.OP - 290 Cathcart Street - Jyrki Koro - Request to amend the Official Plan and Zoning By-law in Order to Permit the Property to be used for Commercial Purposes with a Maximum of Two Residential Units**

The report of the Planning Director was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor N. DelBianco
Resolved that the report of the Planning Division under date 2002 09 23 concerning Application No. A-26-02-Z.OP - Jyrki Koro be accepted and the recommendation that Council approve the application subject to the 3 conditions contained in the report, be endorsed. CARRIED.

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

(a) **Algoma University College Information, Communication and Technology Centre**

The report of Sault Ste. Marie Economic Diversification Team was accepted by Council.

Moved by Councillor D. Oraziotti
Seconded by Councillor J. Caicco
Whereas a strong local university is an important tool for any community seriously promoting economic diversification and development; and

6. (8)

(a) Whereas Sault Ste. Marie's Algoma University College has planned for the construction of a new \$6.1 million Information, Communication and Technology Centre which will result in not only new programs for the University, but also for the establishment of new businesses requiring incubation and acceleration facilities which could not otherwise be provided for separately; and
Whereas in addition to a new Master of Science Computer Gaming Technology Program and a potential 21 new businesses, the new facility will house the expansion of the City's P.U.C. into the telecom business to meet the needs of the region with broadband capabilities; and
Whereas this project will enhance our community's ability to promote and provide better services through our University, our Innovation Centre and our P.U.C. Telecom, thereby improving our efforts at economic diversification; and
Whereas funding applications have been made to both Fednor and NOHFC for assistance with this major project and it is imperative that clear community support by local government be provided, confirming this project as a priority in our economic diversification efforts; and
Whereas any delay in providing tangible support and funding assistance from the City could jeopardize this important project,
Therefore Be It Resolved that, notwithstanding Council's earlier decision to refer this project to the Economic Diversification Strategy Committee (for review to determine its priority in accessing the various funds that have been set aside by the three levels of government for economic diversification of our local economy), Council approves the request of Algoma University College and commits the sum of \$253,760.00 towards this project, conditional on confirmation of approval of assistance from FEDNOR and NOHFC as set out in the project proposal.
CARRIED.

(b) **Better Ways to Support our Communities: Opportunity Bonds and Tax - Incentive Zones to Support Ontario Smart Growth**

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

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that the report of the President and CEO, Economic Development Corporation dated 2002 09 17 concerning Better Ways to Support our Communities - Opportunity Bonds and Tax-Incentive Zones to Support Ontario Smart Growth be accepted and the 2 recommendations contained on Page 3 of the report, be approved. CARRIED.

(c) **Sault Ste. Marie Youth Needs Assessment Project**

The report of the Ad Hoc Committee on Out Migration of City's Youth was accepted by Council.

6. (8)
(c)

Moved by Councillor N. DelBianco
Seconded by Councillor P. Vaudry

Whereas City Council by resolution dated 2002 04 08 authorized the formation of an ad hoc committee in conjunction with the Economic Development Corporation and others to consider the development of a strategy to address the out migration of our City's youth as well as initiatives specifically designed to repatriate those who wish to return for employment opportunities; and

Whereas one of the key outcomes of such a strategy is the creation of a framework that can be used by all three levels of government in developing youth initiatives for our community; and

Whereas such a strategy will only be successful if it includes active participation by our City's youth;

Now therefore be it resolved that City Council receives and fully endorses the proposal of the Ad Hoc Committee and supports the request to Human Resources Development Canada to provide the funding necessary to engage at least 2 youth who will undertake this much needed and worthwhile project on behalf of our community. CARRIED.

7.

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

- (a) Moved by Councillor N. DelBianco
Seconded by Councillor L. Turco

Whereas the sounding of the train horn at the railway crossing of Queen Street and West Street has become a nuisance to the residents in the area;

And Whereas the train at that crossing travels at below normal speeds and it may not be necessary to sound its horn;

And Whereas Transport Canada permits exemptions of its mandate regarding sounding of train horns;

Therefore Be It Resolved that the City of Sault Ste. Marie applies to Transport Canada to request the railway crossing at Queen Street and West Street be a silent crossing. CARRIED.

- (b) Moved by Councillor L. Turco
Seconded by Councillor P. Mick

Whereas, in 1897, a visiting provincial official told Sault Ste. Marie Town Council, "if you wish a hospital of which the work is serious and lasting, ask the Grey Sisters", and

Whereas, Town Council immediately entered into negotiations with the Grey Sisters, who answered the call and established the General Hospital in 1898, and
Whereas, the Grey Sisters recently concluded the sale of the General Hospital property, thus paving the way for the creation of a single, non-denominational hospital, and

Whereas, for 104 years the Grey Sisters have played an integral role in the promotion of healing, hope and compassion in Sault Ste. Marie;

7. (b) Be It Resolved that the City of Sault Ste. Marie thanks the Grey Sisters for their dedicated service and contribution to our community, as sponsors, administrators and caregivers. CARRIED.

- (c) Moved by Councillor P. Vaudry
Seconded by Councillor D. Amaroso
Whereas there is a petition now circulating in the community requesting that City Council amend the Smoking By-law 2000-140 to prohibit smoking in all enclosed public places - 100% Smoke Free - on World Non-Smoking Day - May 13, 2003; Now Therefore Be It Resolved that the City Clerk be directed to give Public Notice in the Sault Star and Sault This Week that Council will be considering this matter at its October 21, 2002 Regular Council Meeting. CARRIED.

- (d) Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Pursuant to Section 69 (2) of the Municipal Act; Resolved that Councillor Neil DelBianco be appointed Acting Mayor for the period September 28 to October 6, 2002 (Mayor Rowsell out of the country on vacation). CARRIED.

- (e) Moved by Councillor P. Mick
Seconded by Councillor F. Manzo
Resolved that City council receives as information the "Out-of-Province Travel Policies" report dated September 23, 2002 and instructs the City Clerk to place the matter on the agenda for the October 7th, 2002 Council Meeting. CARRIED.

Moved by Councillor P. Vaudry
Seconded by Councillor D. Amaroso
Whereas by resolution of City Council dated February 25, 2002, staff was directed to prepare for Council's consideration out-of-province, out-of-country travel policies which would clearly define spending limits and practices for expenses reimbursed by the Corporation; and
Whereas the final report prepared by the Manager of Internal Audits and recommended by the Director of Financial Services and approved for recommendation by both the City's Treasurer and Chief Administrative Officer, was presented to the City Clerk's Office to be placed on the Agenda for City Council's consideration at its meeting of September 23, 2002; and
Whereas the Mayor "directed" the City Clerk not to place the matter on the Council Agenda because he had several questions to ask of staff and felt that the report "while good, was incomplete"; and
Whereas the Mayor does not, nor should he have any singular authority to "direct" if or when staff reports requested by City Council are placed on Council's Agenda for Council's consideration nor should the Mayor be empowered to "direct" that any such report or recommendation therein be amended before presentation to City Council;
Now therefore be it resolved that City Council receives as information, the "Out-of-Province Travel Policies" report dated September 23, 2002 and instructs the City Clerk to place the matter on the Agenda for the October 7th, 2002 meeting. DEFEATED.

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 P. Mick

Seconded by Councillor L. Turco

Resolved that all the by-laws listed under item 10 of the Agenda under date 2002 09 23 be approved. CARRIED.

(a) Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that By-law 2002-154 being a by-law to stop up, close and authorize the conveyance of unused portions of James and West Streets as shown on Plan IR-10515 be read a third time and passed in Open Council this 23rd day of September, 2002 after notice thereof had been published once a week for four 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 P. Mick

Seconded by Councillor L. Turco

Resolved that By-law 2002-198 being a by-law to authorize the transfer of portions of West Street and James Street as shown on Plan IR-10515 to Algoma Central Railway Inc. be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.

(c) Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that By-law 2002-199 being a by-law to authorize an agreement with the City and Kresin Engineering Corporation to design and provide construction administration for the replacement of the Varsity Avenue Pump Station be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.

(d) Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that By-law 2002-200 being a by-law to authorize a grant agreement between the City and the Federation of Canadian Municipalities as Trustee of the Green Municipal Enabling Fund to undertake a study on the co-composting of sewage sludge and organic waste be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.

10. (e) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-201 being a by-law to authorize a lease agreement between the City and Larry Hepditch and Karen Hepditch carrying on business as "Photo Express" for the operation of a sports photography business at the John Rhodes Centre be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.
- (f) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-202 being a by-law to authorize an agreement with the City and FedNor for financial support of up to \$116,800. towards the establishment of new zoning by-laws for the City of Sault Ste. Marie be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.
- (g) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-203 being a by-law to authorize an agreement with the City and Public Works, Local No. 3, Canadian Union of Public Employees be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.
- (h) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-204 being a by-law to amend By-law 2002-94 to include clawback percentages for the 2002 taxation year be read three times and passed in Open Council this 23rd day of September, 2002. CARRIED.
- (i) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-205 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 23rd day of September, 2002. CARRIED.

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

- (a) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that this Council shall now go into Caucus to discuss one matter containing personal information about identifiable individuals, two labour relations items, one property matter (possible land acquisition) and two legal matters (Solicitor client privilege). CARRIED.

12.

ADJOURNMENT

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that this Council shall now adjourn. CARRIED.

**“JOHN ROWSWELL ”
MAYOR**

**“DONNA P. IRVING ”
CLERK**