

MINUTES

REGULAR MEETING OF CITY COUNCIL

2002 07 22

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillors D. Orazietti

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

1. **ADOPTION OF MINUTES**

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2002 07 08 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 F. Manzo

Resolved that the accounts of 2002 07 05 in the amount of \$8,472,993.86 be passed and paid. CARRIED.

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

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

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

3. Councillor P. Mick declared a pecuniary interest - daughter employed by Algoma District School Board.

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

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 J. Caicco

Seconded by Councillor F. Manzo

Resolved that the accounts of 2002 07 12 in the amount of \$8,436,983.90 and payrolls properly certified be passed and paid and the payrolls of the periods 2002 06 23 to 2002 07 06 in amounts of Hourly \$1,516,830.46 and Salaried \$300,282.46 as certified and paid be confirmed. CARRIED.

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

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Dominic Parrella, Bill Walker and Bob Dumanski were in attendance concerning agenda item 6.(6)(a).
- (b) Peter Bortolussi and Tony Michelle were in attendance concerning agenda items 6.(6)(b) and 6.(6)(c).

PART ONE - CONSENT AGENDA

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

Moved by Councillor J. Caicco

Seconded by Councillor P. Vaudry

Resolved that all the items listed under date 2002 07 22 - Part One - Consent Agenda (save and except 5.(p) - withdrawn from the agenda at staff's request) be approved as recommended. CARRIED.

5. (a) Correspondence from the City of Greater Sudbury (concerning petitioning the provincial government not to approve implementation of LMP system for electrical rates); the City of St. Catharines (concerning section 35(2) of the Planning Act - student housing) was received by Council.
- (b) Correspondence from a resident of Wiber Street requesting permission for a temporary street closing of Wiber Street on 2002 08 24 from 1:00 p.m. to 1:00 a.m. for a neighbourhood party was accepted by Council. The relevant by-law 2002-151 is listed under item 10 of the Minutes.
- (c) Correspondence concerning a request for permission to hold a Special Occasion permit event at an outdoor municipal facility was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor P. Vaudry

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

Tom Tipton Field

Marconi Club

August 3 to 5, 2002 - 12:00 noon to 11:00 p.m. CARRIED.

(d) **4-Laning on Entire Trans-Canada Highway**

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

Moved by Councillor J. Caicco

Seconded by Councillor P. Vaudry

Whereas the need to fully develop Canada's main east-west highway into a complete four lane system from coast to coast has been promoted by politicians of all parties and at all levels of government for many years now;

And whereas the benefits of such development include improved public safety, improved tourism, cheaper transportation costs and would assist in efforts to improve Canadian unity with better linkages between communities and Provinces;

And whereas the cost of such highway improvements has been estimated at between \$10 and \$15 billion dollars with construction to occur over a ten year period, creating significant employment and boosting the Canadian economy;

And whereas the issue of the need for a four lane national highway system has been a very high priority for Northern Ontario and Sault Ste. Marie in particular;

Now therefore be it resolved that the City of Sault Ste. Marie lauds the efforts of the Federal Cabinet, and in particular Ministers Dahliwal and Collinette, in recent efforts to get a commitment to proceed with this very important project and further that our local Members of Parliament, Carmen Provenzano and Brent St. Denis be encouraged to fully support this proposal and on behalf of all of their constituents. CARRIED.

5. (e) **Staff Travel**

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

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2002 07 22 be approved as requested. CARRIED.

(f) **Tender for 7,500 Tonnes Bulk Coarse Highway Salt**

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

Moved by Councillor J. Caicco

Seconded by Councillor P. Vaudry

Resolved that the report of the Manager of Purchasing, dated July 22, 2002 be endorsed and that the tender for the supply and delivery of Bulk Coarse Highway Salt required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(g) **Tender for Equipment - Public Works and Transportation Department**

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

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the report of the Manager of Purchasing, dated 2002 07 22 be endorsed and that the tender for the supply and delivery of various pieces of equipment required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(h) **Procedural Resolution to Change Council Meeting Date**

Moved by Councillor J. Caicco

Seconded by Councillor P. Vaudry

Pursuant to section 3(4) of Procedure By-law 99-100, be it resolved that the regularly scheduled Council Meeting of Monday, August 26th, 2002 BE CHANGED to Tuesday, August 27th, 2002. CARRIED.

(i) **Queenstown Board of Management (O/A The Downtown Association) - 2002 Budget Estimates and 2001 Audit Report**

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

5. (i) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that City Council acknowledge receipt of the Queenstown Board of Management (O/A The Downtown Association) Audit for the year 2001, as prepared by BDO Dunwoody LLP Chartered Accountants and Consultants and that Council approve the Queenstown Board of Management Budget Estimates for the year 2002. CARRIED.
- (j) **City Centre Board of Management - 2002 Budget Estimates and 2001 Audit Report**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that City Council acknowledge receipt of the City Centre Board of Management Audit for the year 2001, as prepared by BDO Dunwoody LLP Chartered Accountants and Consultants and that Council approve the City Centre Board of Management Budget Estimates for the year 2002. CARRIED.
- (k) **Nuisance Bears**
The report of the Chief Administrative Officer was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Chief Administrative Officer dated 2002 07 22 concerning Nuisance Bears be accepted as information. CARRIED.
- (l) **John Rhodes Community Centre HVAC Repairs**
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that the report of the Commissioner of Community Services dated 2002 07 22 concerning John Rhodes Community Centre HVAC Repairs be accepted and the recommendation that Council approve the expenditure of approximately \$15,000. for the required repairs with funds from the John Rhodes Community Centre construction budget be endorsed. CARRIED.
- (m) **Soo Thunderbirds Junior "A" Hockey Club**
The report of the Commissioner of Community Services was accepted by Council.

5. (m) Moved by Councillor J. Caicco
Seconded by Councillor D. Jones
Resolved that the report of the Commissioner of Community Services dated 2002 07 22 concerning Soo Thunderbirds Junior "A" Hockey Club be accepted and the recommendation that negotiations for new contract with the Club BE REFERRED to the Arena Study Review Committee for review and report back to Council, be approved. CARRIED.
- (n) **Update - Communities in Bloom Competition**
The report of the Assistant Manager, Recreation and Culture was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Assistant Manager Recreation and Culture dated 2002 07 22 concerning the Communities in Bloom Program be accepted as information. CARRIED.
- (o) **Ermatinger-Clergue National Historic Site - Clergue Blockhouse "House Warming" - Black Powder Group Demonstration**
The report of the Curator, Ermatinger-Clergue National Historic Site was accepted by Council. The relevant by-law 2002-152 is listed under item 10 of the Minutes.
- (p) **Tall Grass - Civic No. 4 Chestnut Street**
The report of the Supervisor of Building Inspections was received by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that the report of the Supervisor of Building Inspections dated 2002 07 22 concerning Civic No. 4 Chestnut Street be accepted and the recommendation that the Corporation hire the forces necessary to cut the grass adding the costs of this action to the taxes of the subject property be approved. OFFICIALLY READ NOT DEALT WITH. WITHDRAWN FROM AGENDA AT STAFF'S REQUEST.
- (q) **Application No. 9-02-D.C. - Civic No. 97 Sunnyside Beach Road - Rein Pold - Request for Removal of the "Holding Provision" Designation to Permit a Permanent Residence**
The report of the Planning Division was accepted by Council.

5. (q) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that the report of the Planning Division dated 2002 07 22 concerning Application No. 9-02-D.C. - Rein Pold be accepted and the Planning Director's recommendation that City Council approve removing the "Holding Provision" designation, be endorsed. CARRIED.

(r) **Industrial Land Development - Algoma Steel and Ontario Realty Corporation Properties - Status Update**

The report of the Planning Division was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor D. Jones

Resolved that the report of the Planning Division dated 2002 07 22 concerning Industrial Land Development - Algoma Steel and Ontario Realty Corporation Properties be accepted and the recommendation that Council authorize the required NOHFC and FedNor funding applications and approve the City's cost share of \$420,125. to be taken from the Industrial Land Reserve, be endorsed. CARRIED.

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.

Recorded Vote

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

Against: Councillor F. Manzo

Absent: Councillor D. Oraziatti

(s) **Memorial Gardens - Proposed Designation Under Part IV of the Ontario Heritage Act**

The report of the Chairperson, L.A.C.A.C. was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo

Resolved that the report of the Chairperson, L.A.C.A.C. dated 2002 07 22 concerning Memorial Gardens - Proposed Designation Under Part IV of the Ontario Heritage Act be accepted as information. CARRIED.

PART TWO - REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (1) ADMINISTRATIVE

(a) Ward 3 Councillor - Filling the Vacant Office

The report of the City Clerk was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor P. Vaudry

Resolved that City Council hereby accepts the resignation of Ward 3 Councillor Derik Brandt effective July 22, 2002; and

Further resolved that the office of City Councillor - Ward 3 be declared vacant.
CARRIED.

Recorded Vote

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

Against: Nil

Absent: Councillor D. Orazietti

Moved by Councillor F. Manzo

Seconded by Councillor L. Turco

Resolved that City Council direct that the City Clerk take the appropriate steps to hold a by-election for the purpose of filling by vote, the vacant office of Councillor Ward 3 for the remainder of the current term of office (2001-2003); and

Further resolved that a by-law be prepared for the next regular Council Meeting to establish Voting Day to be Thursday, October 10, 2002. DEFEATED

Recorded Vote

For: Councillors L. Turco, F. Manzo

Against: Mayor J. Rowswell, Councillors D. Jones, P. Vaudry, J. Caicco, T. Ryma, P. Mick, N. DelBianco, B. Irwin, D. Amaroso

Absent: Councillor D. Orazietti

6. (1)
(a) Moved by Councillor D. Amaroso
Seconded by Councillor D. Jones
Resolved that the report of the City Clerk dated 2002 07 22 concerning Ward 3 Councillor - Filling the Vacant Office be accepted; and
Further resolved that the vacancy be filled by the appointment process at a Special Council Meeting to be held on August 12, 2002 at 4:00 p.m.; and
Further resolved that the vacancy be publicly advertised to seek individuals who may wish to be considered for nomination. CARRIED.

Recorded Vote

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

Against: Councillors L. Turco, F. Manzo

Absent: Councillor D. Oraziatti

6. (6) **PLANNING**

- (a) **Application No. A-6-01-Z.OP--Claude Lafreniere Trucking - 309 Fifth Line East - On-Site Fuel Storage Tanks**

The report of the Planning Division was accepted by Council. Correspondence from the Solicitor for the applicant was received by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the report of the Planning Division dated 2002 06 10 concerning Application No. A-6-01-Z.OP - Claude Lafreniere Trucking be accepted and the Planning Director's recommendation that Council reaffirm its condition that the volume and type of fuel storage tank be subject to approval of Public Utilities Commission be endorsed. CARRIED.

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

Mayor J. Rowswell declared a pecuniary interest - a client of engineering firm (R. F. Contracting) is within notification area.

- (b) **Application No. A-20-01-Z.OP - 56 and 64 Caesar Road - 510127 Ontario Limited - Request to Accommodate Possible Commercial Uses of Subject Property in Conjunction with Property at 197 Trunk Road (Pino's IGA)**

The report of the Planning Division was accepted by Council.

6. (6)
(b) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that the reports of the Planning Division dated 2002 07 22 concerning Application No. A-20-01-Z.OP - 510127 Ontario Limited be accepted and the recommendation that Council approve the application subject to the 5 conditions contained in the report be endorsed. CARRIED.

- (c) **Application No. A-22-01-Z.OP - 219 Trunk Road and 100/100A Nicolas Avenue - 510127 Ontario Limited - Request to Facilitate Future Commercial Development and to Maintain the Existing Apartment Buildings**

The report of the Planning Division was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Planning Division dated 2002 07 22 concerning Application No. A-22-01-Z.OP - 510127 Ontario Limited be accepted and the recommendation that Council approve the application subject to the 4 conditions contained in the report be endorsed. CARRIED.

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

- (a) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Whereas a group of concerned business people from the Great Northern Road/Pim Street corridor has been meeting to form an Uptown Beautification Association; and
Whereas Planning, Parks, Public Works and Transportation, BEC and Council representation has been part of the group;
Now therefore be it resolved that City Council endorses the group's efforts to organize and improve their business area. 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 F. Manzo
Resolved that all the by-laws listed under item 10 of the Agenda under date 2002 07 22 be approved. CARRIED.

10. (a) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2002-148 being a by-law to adopt Amendment No. 49 to the Official Plan be read three times and passed in Open Council this 22nd day of July, 2002. CARRIED.
- (b) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2002-149 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 911-953 Great Northern Road; and
Further be it resolved that By-law 2002-150 being a by-law to designate 911-953 Great Northern Road as an area of site plan control be read three times and passed in Open Council this 22nd day of July, 2002. (1309810 Ontario Inc.) CARRIED.
- (c) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2002-151 being a by-law to permit the temporary closing of Wiber Street from Amy Street to Jean Street for a street gathering be read three times and passed in Open Council this 22nd day of July, 2002. CARRIED.
- (d) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2002-152 being a by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 70-359 (being a by-law to prohibit the discharge of firearms in the municipality) be read three times and passed in Open Council this 22nd day of July, 2002. CARRIED.

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

- (a) Moved by Councillor J. Caicco
Seconded by Councillor P. Vaudry
Resolved that this Council shall now go into Caucus to discuss one legal item (Solicitor Client privilege), one item containing personal information and one labour relations matter. CARRIED.

12.

ADJOURNMENT

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that this Council shall now adjourn. CARRIED.

**“JOHN ROWSWELL”
MAYOR**

**“DONNA P. IRVING”
CLERK**