

MINUTES

REGULAR MEETING OF CITY COUNCIL

2002 03 18

5:00 P.M.

COUNCIL CHAMBERS

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

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, B. Wierzbicki, M. Brechin, B. Strapp, N. Apostle, L. McCoy, J. Dolcetti

1. **ADOPTION OF MINUTES**

Moved by Councillor D. Brandt

Seconded by Councillor N. DelBianco

Resolved that the Minutes of the Regular Council Meeting of 2002 03 04 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor D. Brandt

Seconded by Councillor N. DelBianco

Resolved that the accounts of 2002 03 01 in the amount of \$1,426,023.61 be passed and paid. CARRIED.

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

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.

3. Moved by Councillor D. Brandt
Seconded by Councillor N. DelBianco
Resolved that the accounts of 2002 03 08 in the amount of \$1,794,366.58 and payrolls properly certified be passed and paid and the payrolls of the periods 2002 02 17 to 2002 03 02 in amounts of Hourly \$1,256,930.85 and Salaried \$293,561.12 as certified and paid be confirmed. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Proclamation - Naturopathic Medicine Week
- (b) Susan Meades, Chief Judge, Rotary Science Fair was in attendance concerning Proclamation - Young Scientist Month in Ontario.
- (c) Dan Cherepacha, Project Director, Read Voorhees and Associates was in attendance concerning agenda item 6.(3)(a).
- (d) Representatives of Turf King, Grow-It-Green and Nutri-Lawn were in attendance concerning agenda item 6.(5)(a).
- (e) Jamie Melville was in attendance concerning agenda item 6.(6)(b).

PART ONE - CONSENT AGENDA

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

Moved by Councillor D. Brandt
Seconded by Councillor L. Turco
Resolved that all the items listed under date 2002 03 18 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from the OSRU/Ontario Black Bear Association requesting Council endorse a resolution to immediately reinstate the spring bear hunt was received by Council.

Moved by Councillor P. Mick
Seconded by Councillor D. Brandt
Whereas since the cancellation of the spring bear hunt, the MNR has removed themselves from the responsibility of controlling nuisance bears and not only are municipalities deprived of the income from the spring bear hunt, but now are burdened with the financial responsibility of controlling nuisance bears; and

5. (a) Whereas nuisance bears are out of control and are in record numbers and sows and cubs are being shot in record numbers as nuisance bears; and
Whereas there are more cubs orphaned now than ever before and bear rehabilitation centres in Ontario are full; and
Whereas bears are being hit on highways in record numbers causing great danger to travellers in Ontario;
Now therefore be it resolved that the Council of the City of Sault Ste. Marie request the Government of Ontario to reinstate the spring bear hunt immediately; and
Further that a copy of this resolution be forwarded to the OSRU/Ontario Black Bear Association. CARRIED.

- (b) The petition concerning an extension of Willow Avenue to Old Garden River Road was received by Council.

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that the petition from Willow Avenue area businesses/property owners requesting that any development of the MTO property should include an extension of Willow Avenue through the MTO property connecting to Old Garden River Road BE REFERRED to appropriate staff for review and report back to City Council. MOVER REMOVED NAME FROM RESOLUTION. OFFICIALLY READ NOT DEALT WITH.

- (c) The letter requesting permission for a private property liquor license extension was received by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that the following request for liquor license extension on private property for an outdoor event on the stated dates and times be endorsed by City Council.

Docks Riverfront Grill

Canada Day - July 1, 2002 - 12:00 noon to 2:00 a.m.

Independence Day - July 4, 2002 - 12:00 noon to 2:00 a.m.

Salmon Derby - August 24, 2002 - 12:00 noon to 2:00 a.m.

Salmon Derby - August 25, 2002 - 12:00 noon to 11:00 p.m. CARRIED.

- (d) Correspondence from the City of Stratford (concerning petitioning the Province to enact legislation to require producers to reduce packaging of goods and retailers to take back packaging materials); the County of Brant (concerning proposed Ministry of the Environment regulations concerning operation of water systems) was received by Council.

5. (e) The letter from the Ontario Clean Water Agency concerning the operation of waste water treatment plants during a labour disruption was received by Council.

(f) **Staff Travel Requests**

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

Moved by Councillor D. Brandt

Seconded by Councillor N. DelBianco

Resolved that the travel requests contained in the report of the Chief Administrative Officer dated 2002 03 18 be approved as requested. CARRIED.

(g) **Council Travel**

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that Councillor Peter Vaudry be authorized to attend the Algoma District Municipal Association Meeting being held in Blind River on April 6, 2002 at an estimated cost of \$175.00. CARRIED.

(h) **Garden River and Snowmobile Trail**

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

Moved by Councillor D. Brandt

Seconded by Councillor L. Turco

Resolved that the reports of the Chief Administrative Officer dated 2002 03 18, the City Solicitor dated 2002 03 18 and the Fire Chief dated 2002 03 08 regarding the Garden River and Snowmobile Trail be accepted as information. CARRIED.

Moved by Councillor D. Jones

Seconded by Councillor P. Vaudry

"Part A"

Whereas the City of Sault Ste. Marie in the spirit of cooperation and friendship will complete all discussions over past fire protection services with Garden River First Nations; and

Whereas we would like to work cooperatively with our neighbours on mutually beneficial projects;

Therefore be it resolved that the City of Sault Ste. Marie acknowledges the end of any contested debts for protection services. DEFEATED.

5. (h) Recorded Vote

For: Mayor J. Rowswell, Councillors D. Jones, P. Vaudry, J. Caicco, L. Turco, N. DelBianco

Against: Councillors D. Brandt, T. Ryma, F. Manzo, P. Mick, D. Oraziatti, B. Irwin, D. Amaroso

Absent: nil

Moved by Councillor D. Jones
Seconded by Councillor P. Vaudry
"Part B"

Resolved that a Committee of Council comprised of Councillors Jones, DelBianco and Brandt begin a process of negotiations with the Garden River First Nations for a snowmobile trail through their territory for the economic benefit of the Algoma Region. CARRIED.

Recorded Vote

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

Against: Mayor J. Rowswell

Absent: nil

(i) **Public Sector Salary Disclosure Act**

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

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

Resolved that the report of the Commissioner of Finance and Treasurer dated 2002 03 04 concerning Public Sector Disclosure Act be accepted as information. CARRIED.

(j) **Leading the Way 'Naturally' - Corporate Strategic Plan - Review Process**

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

5. (j) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Assistant City Clerk dated 2002 03 18 concerning Leading the Way Naturally - Corporate Strategic Plan - Review Process be accepted as information. CARRIED.
- (k) **Tender for Washroom Renovations - Roberta Bondar Park**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Brandt
Seconded by Councillor N. DelBianco
Resolved that the report of the Manager of Purchasing, dated March 18, 2002 be endorsed and that the tender to complete Washroom Renovations at Roberta Bondar Park required by the Community Services Department be awarded as recommended. CARRIED.
- (l) **Tender for Athletic Field Marking Paint**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Brandt
Seconded by Councillor L. Turco
Resolved that the report of the Manager of Purchasing, dated March 18, 2002 be endorsed and that the tender for the supply and delivery of Athletic Field Marking Paint, required by the Parks Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (m) **Tender for Transit Operators' and Inspectors' Uniforms**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor P. Mick
Seconded by Councillor N. DelBianco
Resolved that the report of the Manager of Purchasing, dated March 18, 2002 be endorsed and that the tender for the supply and delivery of Transit Operators' and Inspectors' Uniform Clothing, required by the Transit Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (n) **Tender for One (1) Diesel Riding Mower c/w Front Mount Rear Discharge Deck**
The report of the Manager of Purchasing was accepted by Council.

5. (n) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Manager of Purchasing, dated March 18, 2002 be endorsed and that the tender for the supply and delivery of One (1) Diesel Riding Mower c/w Front Mount Rear Discharge Deck, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (o) **Soo Minor Baseball Association Inc. - Water Service to the Sinclair Yards Building That Contains the Food and Beverage Concession**
The report of the Commissioner of Community Services was accepted by Council.

Moved by Councillor D. Brandt
Seconded by Councillor N. DelBianco
Resolved that the report of the Commissioner of Community Services dated 2002 03 18 concerning the Soo Minor Baseball Association Inc. and Water Service to the Sinclair Yards Building That Contains the Food and Beverage Concession be accepted and the recommendations contained therein be endorsed. CARRIED.
- (p) **Roberta Bondar Park - Washroom Renovations**
The report of the Assistant Manager, Recreation and Culture was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor N. DelBianco
Resolved that the report of the Assistant Manager, Recreation and Culture under date 2002 03 18 concerning Roberta Bondar Park - Washroom Renovations be accepted and that the recommendations contained therein be endorsed. CARRIED.
- (q) **Request for Financial Assistance for National/International Sports Competition**
The report of the Assistant Manager, Recreation and Culture was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Assistant Manager, Recreation and Culture dated 2002 03 18 concerning a Request for Financial Assistance for National/International Sports Competition be accepted and the recommendation to provide a \$200.00 grant for Shirley Dacey to attend the World Masters Swimming Championship be approved. CARRIED.

5. (r) **Agreement Between the City and D.S.S.A.B. for Transfer of Land Ambulance - By-law 2002-52**

The report of the City Solicitor was accepted by Council. The relevant by-law 2002-52 is listed under item 10 of the Minutes.

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

(s) **Replacement Deed - 25 Garth Street**

The report of the City Solicitor was accepted by Council. The relevant by-law 2002-55 is listed under item 10 of the Minutes.

(t) **Sault Ste. Marie Census Figures 2001**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Brandt

Seconded by Councillor N. DelBianco

Resolved that the report of the Planning Division dated 2002 03 18 concerning Sault Ste. Marie Census Figures 2001 be accepted as information. CARRIED.

Moved by Councillor B. Irwin

Seconded by Councillor D. Oraziotti

Be it resolved that City Council request an emergency meeting of the Northern Mayors here in Sault Ste. Marie to address our declining population; and
Further be it resolved that Minister Dan Newman and Minister Andy Mitchell be invited to attend. CARRIED.

(u) **Industrial Land Development Strategy Engineering Services Agreement**

The report of the Planning Division was accepted by Council. The relevant by-law 2002-57 is listed under item 10 of the Minutes.

(v) **OSTAR Agreement - Capital Construction of the City's Collection and Treatment Facilities**

The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant by-law 2002-58 is listed under item 10 of the Minutes.

PART TWO - REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (3) ENGINEERING

(a) Sault Ste. Marie Truck Route Class Environmental Assessment and Transportation Planning Study

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

Moved by Councillor D. Brandt

Seconded by Councillor L. Turco

Resolved that the report of the Director of Engineering Design and Buildings dated 2002 03 18 concerning Sault Ste. Marie Truck Route Class Environmental Assessment and Transportation Planning Study be accepted and the recommendation that Council approve filing the "Notice of Completion" on the public record for a 30-day comment period be approved. CARRIED.

6. (5) LEGAL

(a) Prohibition of Pesticide Use

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

Moved by Councillor P. Mick

Seconded by Councillor N. DelBianco

Resolved that the report of the Assistant City Solicitor dated 2002 03 18 concerning Prohibition of Pesticide Use be accepted and the recommendation that Council endorse the City Works policy with regards to pesticide reduction on City-owned property only be approved. CARRIED.

Recorded Vote

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

Against: Councillors P. Vaudry, F. Manzo, D. Amaroso

Absent: nil

6. (6) PLANNING

(a) File No. Z.2.1.9 - Tourism Directional Attraction Signage

The report of the Planning Division was accepted by Council.

6. (6)

(a) Moved by Councillor P. Mick
Seconded by Councillor L. Turco

Resolved that the report of the Planning Division dated 2002 03 18 concerning the Tourism Directional Attraction Signage be accepted and the recommendation that Council approve the amendment of Section 6 of By-law 4500 by adding subsection 6.10 - "Tourism Directional Attraction Signage" subject to the 3 conditions contained in the report be endorsed. 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 report of the Planning Division was accepted by Council.

Moved by Councillor D. Brandt
Seconded by Councillor N. DelBianco

Resolved that the report of the Planning Division dated 2002 03 18 concerning Application No. A-33-01-Z.OP - Avery Brothers Limited be accepted and the recommendation that the application be denied; and

Further that the Planning Director's recommendation to approve a Temporary Rezoning subject to the 1 condition contained in the report be endorsed. DEFEATED.

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

Recorded Vote

For: nil

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

Absent: nil

6. (6)
(b)

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

Whereas the applicant (A-33-01-Z.OP) is prepared to address all environmental and site plan control issues;

Therefore be it resolved that Council approve amending the Official Plan redesignating the subject property from rural area to industrial and that the lands be rezoned from Planned Development to M3 (light industrial) special; the special exception to allow for the existing 4 residential units and the salvage of materials related to the on-site operations conditional upon the property being designated as an area of site plan review in order to address the environmental issues raised by the Planning Director in his recommendation. CARRIED.

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

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

- (a) Correspondence from the Winter Cities Association was received by Council.

Moved by Councillor D. Jones
Seconded by Councillor D. Amaroso

Whereas the Winter Cities Association has expressed an interest in the possibility of Sault Ste. Marie hosting the Winter Cities Forum in January/February 2003 to replace the City of Whitehorse which has recently withdrawn from hosting same; and

Whereas there will be time constraints and financial implications to consider prior to any decision to host this conference;

Therefore be it resolved that the City Clerk investigate the feasibility of hosting this event, possible funding sources, as well as the cost to the City and report back to City Council. 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 F. Manzo
Seconded by Councillor P. Vaudry

Resolved that by-laws 2002-48, 2002-49 and 2002-50 (227 Central Street/633 Wallace Terrace/Mario Naccarato) BE DEFERRED to the April 8, 2002 Council Meeting. DEFEATED.

10. 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 03 18 be approved. CARRIED.
- (a) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-08 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Henrietta Avenue from Wellington Street West to Farwell Terrace under Section 12 of the Local Improvement Act, be read a third time this 18th day of March, 2002. CARRIED.
- (b) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-48 being a by-law to adopt Amendment No. 45 to the Official Plan be read three times and passed in Open Council this 18th day of March, 2002. (Mario Naccarato) CARRIED.
- (c) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-49 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 633 Wallace Terrace and 227 Central Street; and
Further be it resolved that By-law 2002-50 being a by-law to designate 633 Wallace Terrace and 227 Central Street as an area of site plan control be read three times and passed in Open Council this 18th day of March, 2002. (Mario Naccarato) CARRIED.
- (d) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-51 being a by-law to amend By-law 99-51 being a by-law to regulate signs within the City of Sault Ste. Marie be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.
- (e) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-52 being a by-law to authorize an agreement between the City and the District of Sault Ste. Marie Social Services Administration Board for the transfer of the land ambulance service be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.

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

10. (f) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-53 being a by-law to provide for an interim tax levy for 2002 be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.
- (g) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-54 being a by-law to amend the TEXT of Sault Ste. Marie Zoning By-law 4500 concerning tourism directional attraction signage be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.
- (h) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-55 being a by-law to authorize a replacement deed in favour of Helen Marquis for Lot 438 in the Hamilton Subdivision, Plan 58, be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.
- (i) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-57 being a by-law to authorize an agreement with Totten Sims Hubicki Associates with respect to the planning and preliminary design for the provision of municipal and utility infrastructure to sites identified for Industrial Development under a recent Industrial Lands Study be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.
- (j) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2002-58 being a by-law to authorize an agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs for funding support under the Ontario Small Town and Rural (OSTAR) Development Infrastructure initiative for a sewer infrastructure, be read three times and passed in Open Council this 18th day of March, 2002. CARRIED.

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

- (a) Moved by Councillor N. DelBianco
Seconded by Councillor L. Turco
Resolved that this Council shall now go into Caucus to discuss one legal (litigation/solicitor/client privilege) and one labour relations matter. CARRIED.

12.

ADJOURNMENT

Moved by Councillor D. Brandt

Seconded by Councillor N. DelBianco

Resolved that this Council shall now adjourn. CARRIED.

**“JOHN ROWSWELL”
MAYOR**

**“DONNA P. IRVING”
CLERK**