

## **MINUTES**

### **REGULAR MEETING OF CITY COUNCIL**

**2004 12 13**

**5:00 P.M.**

### **COUNCIL CHAMBERS**

**NOTE:** A DEPARTMENTAL REPORT WAS PRESENTED BY THE PUBLIC WORKS AND TRANSPORTATION DEPARTMENT (PAT MCAULEY COMMISSIONER OF PUBLIC WORKS AND TRANSPORTATION) FROM 4:30 P.M. – 5:00 P.M. FOR THE INFORMATION OF COUNCIL.

**PRESENT:** Mayor J. Rowswell, Councillors J. Caicco, P. Mick, L. Turco, J. Curran, D. Celetti, J. Collins, T. Sheehan, S. Butland, B. Hayes, F. Manzo, N. DelBianco, D. Amaroso

**OFFICIALS:** J. Fratesi, D. Irving, N. Kenny, P. McAuley, N. Apostle, B. Freiburger, J. Dolcetti, D. McConnell, L. Rosso

1. **ADOPTION OF MINUTES**

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2004 11 29 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Proclamation – Congratulations Paralympian Jessica Tuomela
- (b) Robert Andriulaitis and Robert Beynon, representing InterVISTAS Consultants were in attendance concerning agenda item 6.(3)(a) – Multi-Modal Opportunities.
- (c) Bob Hann, President Robert Hann and Associates Ltd. was in attendance concerning Ministry of Health and Long Term Care Charity Casino Impact Study.

Councillor Bryan Hayes declared a pecuniary interest – employed by Ontario Lottery Corporation.

## **PART ONE – CONSENT AGENDA**

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

Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that all the items listed under date 2004 12 13 - Part One - Consent Agenda [save and except 5.(b) – OFFICIALLY READ NOT DEALT WITH; 5.(k) – TABLED; 5.(q) – DEFERRED] be approved as recommended. CARRIED.

- (a) Correspondence from AMO concerning Community Reinvestment Fund (CRF) Reconciliation was received by Council.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that Sault Ste. Marie City Council supports the November 26, 2004 resolution of AMO concerning Community Reinvestment Fund (CRF) Reconciliation and supports the request to the Minister of Finance to work with AMO to undertake a thorough review of provincial-municipal cost sharing and service responsibility arrangements in 2005 with a view to addressing the fundamental problems of the current provincial-municipal LSR-based system and that CRF funding should be provided at 2004 levels for 2005 with reconciliation at the end of 2005 and that confirmation be given that there will be a reconciliation of the 2003 CRF before the end of 2004, be approved; and Further that a copy of this resolution be forwarded to the Minister of Finance, AMO and M.P.P. Sault Ste. Marie. CARRIED.

- (b) Correspondence from the Town of South Algonquin (concerning Current Value Assessment System); the City of North Bay (concerning Local Services Realignment costs and CRF reconciliations); the City of Ottawa (concerning special legislation to allow for a broader range of investment than is allowed under municipal legislation); the City of Vaughan (concerning Ontario Health Premium); the Township of Algonquin Highlands (concerning a system of deposit returns for all metal glass and plastic beverage containers); the Municipality of West Nipissing and Township of Essa (concerning gas tax for public transits); the City of Waterloo (concerning Heads and Beds – Payment-in-lieu) was received by Council.

5. (b) Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that Sault Ste. Marie City Council supports the September 20, 2004 City of Waterloo resolution and the request to the Minister of Finance to:  
a) amend the current prescribed “heads and beds” rate used to calculate payment-in-lieu of taxes on public hospitals, universities, colleges and correctional facilities to an equivalent rate that would be raised were these public institutions using current value assessment times tax rate methodology; and  
b) ensure that the “heads and beds” rate thereafter is adjusted regularly to reflect changes in current value assessment on public institutions and municipal tax rates; or  
c) alternatively introduce legislative amendments to the Assessment Act and the Municipal Act 2001 that would require payment-in-lieu amounts to be calculated on equivalent taxation using full current value assessment times appropriate municipal tax rates; and  
Further that a copy of this resolution be forwarded to the Minister of Finance, AMO and the City of Waterloo. OFFICIALLY READ NOT DEALT WITH

(c) **Staff Travel Requests**

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

Moved by Councillor J. Collins  
Seconded by Councillor S. Butland

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2004 12 13 be approved as requested. CARRIED.

(d) **Tender for Five (5) Tempered Glass Transit Shelters**

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

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

Resolved that the report of the Manager of Purchasing dated 2004 12 13 be endorsed and that the tender for the supply and delivery of Five (5) Tempered Glass Transit Shelters, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

(e) **Request for Quotation – One (1) Coin Sorting Machine**

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

Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2004 12 13 be endorsed and that the quotation for the supply and delivery of one (1) Coin Sorting Machine, required by the Transit Division, Public Works and Transportation Department be awarded as recommended. CARRIED.

5. (f) **Tender for Traffic and Pedestrian LED Signal Heads**  
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor J. Collins

Seconded by Councillor J. Caicco

Resolved that the report of the Manager of Purchasing dated 2004 12 13 be endorsed and that the tender for the supply and delivery of Traffic and Pedestrian LED Signal Heads, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

- (g) **Tender for Replacement of Civic Centre Chiller Unit**  
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2004 12 13 be endorsed and that the tender for the Replacement of the Civic Centre Chiller Unit, required by Building Services, Engineering and Planning Department be awarded as recommended. CARRIED.

- (h) **Proposal for Transit Fare Collection Technology Assessment**  
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Manager of Purchasing dated 2004 12 13 be endorsed and that the proposal to provide a Transit Fare Collection Technology Assessment, required by the Transit Division of the Public Works and Transportation Department be accepted as recommended. CARRIED.

- (i) **New Health and Dental Benefit Carrier**  
The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the report of the Commissioner of Human Resources dated 2004 12 13 concerning New Health and Dental Benefit Carrier be accepted as information. CARRIED.

- (j) **Sault Ste. Marie Airport – Assessment Appeal**  
The report of the City Tax Collector was accepted by Council.

5. (j) Moved by Councillor J. Collins  
Seconded by Councillor J. Caicco  
Resolved that the report of the City Tax Collector dated 2004 12 13 concerning Sault Ste. Marie Airport – Assessment Appeal be accepted and the recommendation that Council authorize the appropriate tax adjustments be approved. CARRIED.

(k) **2005 User Fee Changes**

The report of the Commissioner of Finance and Treasurer was received by Council. The relevant By-law 2004-212 is listed under item 10 of the Minutes.

Note: This item was tabled for Finance Committee comments on Proposed Transit Bus Fare Increase.

(l) **Borrowing By-laws for 2005**

The report of the Commissioner of Finance and Treasurer was accepted by Council. The relevant By-laws 2004-235 and 2004-236 are listed under item 10 of the Minutes.

(m) **Joint Accessibility Plan**

The report of the Municipal Accessibility Plan Coordinator was accepted by Council.

Moved by Councillor J. Collins  
Seconded by Councillor S. Butland

Resolved that the report of the Municipal Accessibility Plan Coordinator dated 2004 12 07 concerning Joint Accessibility Plan be accepted and the recommendations contained therein including Council approval of the November 2004 – November 2005 Accessibility Plan “Moving Forward” be approved. CARRIED.

(n) **Port Facility Security Plan**

The report of the Supervisor Community Centres and Marine Facilities Division was accepted by Council.

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

Resolved that the report of the Supervisor Community Centres and Marine Facilities dated 2004 12 13 concerning Port Facility Security Plan be accepted as information. CARRIED.

(o) **Civic Centre Chiller Replacement**

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

5. (o) Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that the report of the Director of Engineering Design and Buildings dated 2004 12 13 concerning Civic Centre Chiller Replacement be accepted and the recommendation that the Civic Centre Chiller Unit be replaced at an estimated cost of \$197,000.00 be approved. CARRIED.
- (p) **Contract 2004-13E – Demolition and Removal of Structures – Transportation Corridor (Queen Street to Wellington Street)**  
The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-laws 2004-226 and 2004-227 are listed under item 10 of the Minutes.
- (q) **Request from Orlando Tridico for a Refund of Cash-in-Lieu Parking Amount Paid in 1981**  
The report of the City Solicitor was received by Council.
- Moved by Councillor D. Amaroso  
Seconded by Councillor T. Sheehan  
Resolved that agenda item 5.(q) – Request from Orlando Tridico for a Refund of Cash-in-Lieu Parking Amount Paid in 1981 – BE DEFERRED to a future Council meeting at the request of Orlando Tridico. CARRIED.
- Moved by Councillor D. Amaroso  
Seconded by Councillor T. Sheehan  
Resolved that the report of the City Solicitor dated 2004 11 29 concerning Request from Orlando Tridico for a Refund of Cash-in-Lieu Parking Amount Paid in 1981 be accepted and the recommendation that the money requested by Mr. Tridico (in the amount of \$2,500.00 plus accrued interest) not be refunded to him be approved. OFFICIALLY READ NOT DEALT WITH.
- (r) **Appeal of the Passing of By-laws 2004-206 and 2004-207 (Lofstrom)**  
The letter to the Ontario Municipal Board appealing the passing of By-laws 2004-206 and 2004-207 was received by Council.
- Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Whereas Zoning By-laws 2004-206 and 2004-207 were passed by City Council on November 15, 2004 concerning lands located at 32 Powley Road and 626 Fifth Line East; and  
Whereas after public notice was given in accordance with the Planning Act, R.S.O., an appeal for these by-laws, of which a copy is attached to this resolution, were presented to Council and were duly considered by Council at its meeting on December 13, 2004;

5. (r) Now therefore be it resolved that application be made to the Ontario Municipal Board for dismissal of these appeals. (Lofstrom) CARRIED.
- (s) **Agreement Between the City and District of Sault Ste. Marie Social Services Administration Board for Land Ambulance Services**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-228 is listed under item 10 of the Minutes.
- (t) **Proposed Transportation Corridor (376 Cathcart Street)**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-224 is listed under item 10 of the Minutes.
- (u) **Section 270 of the Municipal Act, 2001 – Hiring of Employees**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-234 is listed under item 10 of the Minutes.
- (v) **Release of Easement – 41 Fairmont Drive**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-225 is listed under item 10 of the Minutes.
- (w) **Bellevue Marina Lease**  
The report of the City Solicitor was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the City Solicitor dated 2004 12 13 be accepted and that City staff be authorized, firstly, to enter into negotiations with the provincial Ministry of Natural Resources for the lease of a portion of the Bellevue Marina basin property, and secondly, to enter into negotiations with the federal government for the transfer of the remainder of the Bellevue Marina property. CARRIED.

- (x) **Public Sector Employment Strategy**  
The report of the Planning Division was accepted by Council. The relevant By-law 2004-233 is listed under item 10 of the Minutes.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the report of the Planning Division dated 2004 12 13 concerning the Public Sector Employment Strategy be accepted and the Planning Director's recommendation that City Council authorize an agreement with Laurie Gravelines to undertake and complete the Public Sector Employment Strategy at a total cost not to exceed \$25,000.00 be endorsed. CARRIED.

5. (y) **Texas Avenue Sidewalk Plowing**

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

Moved by Councillor J. Collins

Seconded by Councillor J. Caicco

Resolved that the report of the Commissioner of Public Works and Transportation dated 2004 12 13 concerning Texas Avenue Sidewalk Plowing be accepted and the recommendation that the sidewalk on the west side of Texas Avenue between State and Illinois be added to the plow beat starting this winter be approved. CARRIED.

(z) **Emergency Management Plan**

The report of the Community Emergency Management Coordinator was accepted by Council. The relevant By-law 2004-231 is listed under item 10 of the Minutes.

(aa) **Tender for One (1) Automatic Coin Wrapping Machine**

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

Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2004 12 13 be endorsed and that the tender for the supply and delivery of One (1) Automatic Coin Wrapping Machine, required by the Transit Division of the Public Works and Transportation Department, be accepted as recommended. CARRIED.

(bb) **Council Travel**

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that City Council approve Mayor John Rowswell's travel on Friday, December 3, 2004 to attend Minister Rick Bartolucci's announcement detailing initiatives under "The Northern Prosperity Plan" at a cost of \$420.00. be approved. CARRIED.

(cc) **Proposed Transportation Corridor Acquisitions**

The report of the City Solicitor was accepted by Council. The relevant By-law 2004-237 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 Call Centre/Distribution Air Service Development: InterVISTAS Consultant's Report**

The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that the report of the Commissioner of Engineering and Planning dated 2004 12 13 concerning Sault Ste. Marie Call Centre/Distribution Air Service Development – InterVISTAS Consultant's Project Report be accepted and the recommendation that Council approve the Project Report dated December 2004 in principle; and

Further that the action items contained within the 6 recommendations on pages 1 and 2 of the report BE REFERRED to the Economic Development Corporation, the Director of Industrial Marketing and the Multi-Modal Transportation Committee to address implementation and follow-up items be approved. CARRIED.

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

(a) Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Whereas bee keeping within the confines of city boundaries may create unacceptable consequences to the surrounding neighbourhood;

Therefore be it resolved that the City Solicitor prepare a report on the jurisdictional regulations (i.e., municipal, provincial) that apply to apiculture. CARRIED.

(b) Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Whereas guidelines that apply to snow disposal and de-icing operations in Ontario are completely outdated (1975);

Therefore be it resolved that Council request the Ministry of the Environment to produce a more contemporary document to deal with a primarily Northern Ontario issue. 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. Collins

Seconded by Councillor S. Butland

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2004 12 13 (save and except 2004-212 – TABLED) be approved. CARRIED.

(a) Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that By-law 99-200 being a by-law to stop up, close and authorize the conveyance of a portion of a lane in the Wilding Park Subdivision, Plan 6541 being shown as Parts 1, 2, 3 and 4 on Plan IR-10846 be read a third time and passed in Open Council this 13<sup>th</sup> day of December, 2004 after notice thereof had been published once a week for four consecutive 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 J. Collins

Seconded by Councillor S. Butland

Resolved that By-law 2004-212 being a by-law to establish user fees and service charges be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. OFFICIALLY READ NOT DEALT WITH. TABLED FOR FINANCE COMMITTEE COMMENTS ON PROPOSED TRANSIT BUS PASS INCREASE.

(c) Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that By-law 2004-224 being a by-law to authorize the acquisition of 376 Cathcart Street as part of the proposed transportation corridor be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.

(d) Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that By-law 2004-225 being a by-law to authorize the release of interest of the Corporation in a storm sewer easement across 41 Fairmont Drive be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.

10. (e) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-226 being a by-law to authorize an agreement between the City and George Stone and Sons for the demolition and removal of structures for the transportation corridor (Contract 2004-13E) be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (f) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-227 being a by-law to permit the temporary closing of Hudson Street from St. Andrew's Terrace to Conmee Avenue and St. George's Avenue from Hudson Street to Beverley Street to facilitate the construction of the transportation corridor be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (g) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-228 being a by-law to authorize an agreement between the City and the District of Sault Ste. Marie Social Services Administration Board for the provision of land ambulance services by Sault Ste. Marie Fire Services be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (h) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-231 being a by-law to authorize an Emergency Management Program within the municipality be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (i) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-232 being a by-law to repeal By-law 2004-100, being a by-law to prohibit left hand turns off of Second Line either eastbound or westbound onto Farwell Terrace be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (j) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-233 being a by-law to authorize an agreement between the City and Laurie Gravelines to undertake a Public Sector Employment Strategy be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.

10. (k) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-234 being a by-law to adopt hiring policies be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (l) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-235 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 13<sup>th</sup> day of December, 2004. CARRIED.
- (m) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-236 being a by-law to authorize the borrowing of \$25,000,000.00 to finance capital expenditures for short and long term purposes be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.
- (n) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that By-law 2004-237 being a by-law to authorize the acquisition of 499 Queen Street West and a portion of 579 Northland Road as part of the Transportation Corridor acquisitions be read three times and passed in Open Council this 13<sup>th</sup> day of December, 2004. CARRIED.

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

Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that this Council shall now go into Caucus to discuss one item containing personal matters about identifiable individuals and three property items – 2 potential dispositions of land and one potential acquisition of land. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that this Council shall now adjourn. CARRIED.

\_\_\_\_\_  
"J. Rowswell"

**MAYOR**

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"Donna P. Irving"

**CLERK**