

MINUTES
REGULAR MEETING OF CITY COUNCIL
2004 10 18
5:00 P.M.
COUNCIL CHAMBERS

NOTE: A DEPARTMENTAL REPORT WAS PRESENTED BY THE ENGINEERING/PLANNING DEPARTMENT FROM 4:30 P.M. – 5:00 P.M. FOR THE INFORMATION OF COUNCIL. IN ATTENDANCE WAS JERRY DOLCETTI, COMMISSIONER ENGINEERING & PLANNING; MAURICE KUKORAITIS, DIRECTOR OF ENGINEERING DESIGN & BUILDINGS; DON ELLIOTT, MANAGER OF CONSTRUCTION & ENVIRONMENTAL ENGINEERING; AND DON MCCONNELL, PLANNING DIRECTOR.

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

ABSENT: Councillor T. Sheehan, D. Amaroso

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, P McAuley, N. Apostle, B. Freiburger, J. Dolcetti, J. Luzska, D. McConnell, D. Bourn

1. **ADOPTION OF MINUTES**

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2004 09 27 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Chris Rous, Chair Cultural Advisory Board was in attendance to present the 2004 Cultural Advisory Board Community Recognition Awards to Richard Howard and Chris Tossell.
- (b) Michelle Luckhardt, Public Health Nurse, Algoma Health Unit and a third-year Sault College nursing student were in attendance concerning Proclamation – Cervical Cancer Awareness Week.

4. (c) Joanne Nanne and Christine Mair, Foster Care Recruitment Coordinators, Children's Aid Society were in attendance concerning Proclamation – Canadian Foster Family Week.
- (d) Jill Morris, Chair, Block Parents Sault Ste. Marie was in attendance concerning Proclamation – National Block Parent Week.
- (e) John Febrarro, Norma Jaerhling and Greg Punch were in attendance concerning agenda item 6.(3)(a).
- (f) Denis and Donna Cesarin were in attendance concerning agenda item 6.(6)(a).
- (g) David Poluck (Northern Jewellery); Aldo Fabbro (Station Mall); and John Burrows were in attendance concerning a request to Council to require retail stores to close on Boxing Day and agenda item 7.(a). Petitions and letters signed by 365 individuals, 6 letters from local business owners and a petition signed by 59 local business owners in favour of Boxing Day store closing and one letter from a local business against Boxing Day store closing were received and filed by the City Clerk's Department.

PART ONE – CONSENT AGENDA

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

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that all the items listed under date 2004 10 18 – Part One – Consent Agenda be approved as recommended. CARRIED.

- (a) The letter from the Minister of Tourism and the Minister of Municipal Affairs and Housing concerning a new \$20 Million Community Use of Schools Program was received by Council.
- (b) The letter from the Algoma District School Board Principals' Association concerning the new yellow-green crosswalk/school zone signs throughout the city was received by Council.
- (c) The letter from the Minister of Consumer and Business Services concerning a recent meeting with Mayor Rowswell was received by Council.
- (d) The letter from the Mayor of Maia Portugal concerning our Sister Cities Protocol was received by Council.

5. (d) Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Resolved that the letter dated September 27, 2004 from Maia Portugal concerning our Sister City Protocol and an invitation to send an official delegation from Sault Ste. Marie to Maia BE REFERRED to the International Relations Committee for review and report back to City Council. CARRIED.
- (e) The letter from Mayor Rowswell to the Mayor of Forssa, Finland was received by Council.
- (f) The letter from Shaw TV concerning declining Council's recent budget allocation of \$5,000.00 in funding for Shaw camera operators at Council Meetings was received by Council.
- (g) Correspondence from the Township of Nairn and Hyman (concerning a request to the Province for a province-wide ban on breeds of dangerous dogs); the Municipality of Trent Hills (concerning the Ontario property assessment system); McKinnon Prospecting (concerning map staking in Ontario) was received by Council.
- (h) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2004 10 18 be approved as requested. CARRIED.
- (i) **Retirement – Commissioner of Social Services**
The report of the Chief Administrative Officer was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Chief Administrative Officer dated 2004 10 18 advising of the retirement of David Overboe, Commissioner of Social Services effective December 31, 2004 be accepted as information; and
Further be it resolved that Council expresses its sincerest thanks and best wishes to Mr. Overboe after 6 years of dedicated service to the City of Sault Ste. Marie; and
Further be it resolved that Council authorize the filling of the position of Commissioner of Social Services by way of the Selection Process which is set out in the Corporation's "Guidelines for the Recruitment and Selection of Senior Staff", be approved. CARRIED.

5. (j) **Council Appointments – Multi-Modal Committee and Gateway Project**

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that Councillor Pat Mick be appointed to the Multi-Modal Committee and further resolved that Councillor Neil DelBianco be the City Council representative on all matters pertaining to the Gateway Project whereby Councillor Neil DelBianco shall participate in all ongoing discussions for this development and report as necessary to the Mayor and Council. CARRIED.

(k) **Tenders for Equipment – Public Works and Transportation Department**

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

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated October 18, 2004 be endorsed and that the tenders for various pieces of equipment, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(l) **Tender for Refuse Collection – Multi-Residential Contract (2004WA20)**

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

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the report of the Manager of Purchasing dated October 18, 2004 be endorsed and that the tender to provide Multi-Residential Refuse Collection for a period of five (5) years, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(m) **Tender for Refuse Collection – Curbside Contract (2004WA19)**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2004 10 18 be endorsed and that the tender to provide Curbside Refuse Collection for a period of five (5) years, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(n) **Tender for Commercial Fencing Materials**

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

5. (n) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Manager of Purchasing dated October 18, 2004 be endorsed and that the tender for the supply and delivery of Commercial Fencing Materials, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (o) **Quotation for Grader Blades**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Purchasing dated October 18, 2004 be endorsed and that the quotation for the supply and delivery of Grader Blades, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (p) **Property Tax Class Determination – 2005 Tax Billing**
The report of the City Tax Collector was accepted by Council. The relevant By-law 2004-193 is listed under item 10 of the Minutes.
- Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the City Tax Collector dated 2004 10 18 concerning Property Tax Class Determination – 2005 Tax Billing be accepted, recommending passage of the appropriate by-law. CARRIED.
- (q) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that pursuant to Section 354 and 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's reports of 2004 10 18 be approved and the tax records be amended accordingly. CARRIED.
- (r) **Parking Reserves and Reserve Fund**
The report of the Manager of Finance and Audits was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Manager of Finance and Audits dated 2004 10 18 concerning Parking Reserves and Reserve Fund be accepted and the recommendations contained therein be approved. CARRIED.
5. (s) **2005 Budget Open House**

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

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that the report of the Commissioner of Finance and Treasurer dated 2004 10 18 concerning 2005 Budget Open House be accepted as information. CARRIED.

(t) **2003 Financial Statements**

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

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the 2003 Consolidated Financial Statements as recommended by the Finance Committee be approved. CARRIED.

(u) **Connecting Link Funding for the Reconstruction of Huron Street From Queen Street to Cathcart Street**

The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-law 2004-189 is listed under item 10 of the Minutes.

(v) **Contract 2004-10E – Base Line Railway Extension**

The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-law 2004-191 is listed under item 10 of the Minutes.

Mayor J. Rowsell declared a pecuniary interest – G. P. Flakeboard is a client of engineering firm.

(w) **Request to Occupy a Portion of Hess Street Opposite 13 Hess Street**

The report of the City Solicitor was accepted by Council. The relevant By-law 2004-184 is listed under item 10 of the Minutes.

(x) **Boundary Road Maintenance Agreement Between the Corporation of the Township of Prince and the Corporation of the City of Sault Ste. Marie**

The report of the City Solicitor was accepted by Council. The relevant By-law 2004-188 is listed under item 10 of the Minutes.

(y) **Board of Management for the District of Algoma (Davey Home) and The Sault Area Hospital – Transfer of Property**

The report of the City Solicitor was accepted by Council. The relevant By-law 2004-190 is listed under item 10 of the Minutes.

5. (z) **Agreement Between the City and the Art Gallery of Algoma – Installation of “Algoma Blue” Art Work**

The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2004-185 is listed under item 10 of the Minutes.

(aa) **Boxing Day Closing**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Assistant City Solicitor dated 2004 10 18 concerning Boxing Day Closing be accepted as information. CARRIED.

(bb) **Sault Ste. Marie’s New Comprehensive Zoning By-law Status Report – Residential, Institutional, Parks and Recreation Zones**

The report of the Planning Division was accepted by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2004 10 18 concerning Sault Ste. Marie’s New Comprehensive Zoning By-law Status Report be accepted and the recommendation that City Council approve the Planning Director’s recommendation to accept the attached report as information be endorsed. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (3) **ENGINEERING**

(a) **Industrial Marketing Strategy – Performance Review and Next Steps – Restructuring of IMS Program Delivery**

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

Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Resolved that Council approve the continuation of IMS through Development Sault Ste. Marie and that financing (\$412,000.00) be through the Economic Development Fund. CARRIED.

6. (3)
(a)

Recorded Vote

For: Mayor J. Rowsell, Councillors J. Caicco, P. Mick, L. Turco, J. Curran, D. Celetti, J. Collins, S. Butland, B. Hayes, N. DelBianco

Against: Councillor F. Manzo

Absent: Councillors T. Sheehan, D. Amaroso

Moved by Councillor L. Turco

Seconded by - Councillor P. Mick

Resolved that the reports of the Commissioner of Engineering and Planning dated 2004 10 18 and the President and C.E.O., Economic Development Corporation dated 2004 10 13 concerning Industrial Marketing Strategy – Performance Review and Next Steps – Restructuring of IMS Program Delivery be accepted and further that the financial commitment of \$412,000.00 required to implement Development Sault Ste. Marie for two years commencing in January 2005 be financed as follows: \$112,000.00 from the Economic Diversification Fund and \$150,000.00 be added to the Economic Development Corporation Budget allocation for the years 2005 and 2006 be approved AS AMENDED. CARRIED.

Recorded Vote

For: Mayor J. Rowsell, Councillors J. Caicco, P. Mick, L. Turco, J. Curran, D. Celetti, J. Collins, S. Butland, B. Hayes, N. DelBianco

Against: Councillor F. Manzo

Absent: Councillors T. Sheehan, D. Amaroso

6. (6)

PLANNING

- (a) **Application No. A-6-04-D.C. – 429 Sunnyside Beach Road – Denis Cesarin - Request the Removal of Holding Provision to Permit the Existing Cottage to be Used as a Permanent Residence**

The report of the Planning Division was accepted by Council.

6. (6)
(a)

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2004 10 18 concerning Application No. A-6-04-D.C. – Denis Cesarin be accepted and the recommendation that City Council approve the Planning Director's recommendation to remove the "hp" (holding provision) in order to allow the property to be used for a permanent residence be endorsed. CARRIED.

Mayor J. Rowswell declared a pecuniary interest – applicant is a client of engineering firm.

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

(a) Mover Councillor L. Turco
Seconder Councillor P. Mick

Whereas on 08 April 02, City Council passed a resolution with a vote of 9-2 supporting "Open for Business Initiatives" and the business community has since operated and planned accordingly; and

Whereas citizens and businesses in the community have advocated for retail shopping on Boxing Day and the Civic Holiday; and

Whereas leading up to the debate, there was plenty of time for presentations from both sides of the issue; and

Whereas the current request for Boxing Day closure represents a small percentage of the public and business community; and

Whereas the City's Legal Department cautions that limited openings as allowed by the Sudbury by-law are open to challenge as being beyond the jurisdiction of the municipality; and

Whereas our Legal Department and businesses are recommending that Council seek input from interested parties before proceeding with any amendment to By-law 3832;

Therefore be it resolved that this Council DEFER any discussion on this matter to another City Council meeting date to be properly advertised and to follow the conclusion of any challenges to the Sudbury Boxing Day By-law. DEFEATED.

Recorded Vote

For: Councillors J. Caicco, P. Mick, L. Turco, J. Curran, S. Butland

Against: Mayor J. Rowswell, Councillors D. Celetti, J. Collins, B. Hayes, F. Manzo, N. DelBianco

Absent: Councillors T. Sheehan, D. Amaroso

7. (a) Moved by Councillor B. Hayes
Seconded by Councillor J. Collins
Whereas prior to 2002 By-law 3832 required retail shops to close on Boxing Day and the Civic Holiday; and
Whereas on April 8, 2002 City Council passed a resolution which served the purpose of giving retailers the choice of opening on Boxing Day and the Civic Holiday by amending By-law 3832 accordingly; and
Whereas several retailers have signed a petition requesting that City Council once again amend By-law 3832 specific to Boxing Day only to revert back to pre April 8, 2002, once again requiring retail shops to remain closed on Boxing Day so that owners and staff can spend much needed time with their families;
Therefore be it resolved that City Council direct staff to either amend By-law 3832 or develop a new by-law that will serve the purpose of requiring retail stores to remain closed on Boxing Day. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors D. Celetti, J. Collins, S. Butland, B. Hayes, F. Manzo

Against: Councillors J. Caicco, P. Mick, L. Turco, J. Curran, N. DelBianco

Absent: Councillors T. Sheehan, D. Amaroso

The following Proclamation was proclaimed by Mayor J. Rowswell:

Whereas Christmas is a special time of year for families; and
Whereas the City of Sault Ste. Marie swells in population at this time of year because family members converge on their hometown to enjoy the great family quality of life we have; and
Whereas many individuals and store owners have petitioned City Council in support of enhancing the community for families by requesting retail stores remain closed on Boxing Day; and
Whereas Section 148 of the Municipal Act authorizes the Head of Council to proclaim civic holidays;
Now therefore, I, John Rowswell, by virtue of the power vested in me as Mayor of the City of Sault Ste. Marie do hereby proclaim and pronounce December 26th Boxing Day to be an annual Civic Holiday and that Retail Business Establishments shall be closed to the public every year on this date and further, I respectfully ask that retail businesses as outlined in the Retail Business Holidays Act support their employees by closing their stores on this important and now proclaimed Civic Holiday.

7. (b) Moved by Councillor J. Collins
Seconded by Councillor B. Hayes
Whereas from time to time apparent conflict exists when travel is required; and
Whereas there is concern that our existing travel policy may not match our current needs;
Therefore be it resolved that City Council request the Finance Committee review the current travel policy and associated budget as it relates to the Mayor and Council and report back to Council with a recommendation on appropriate changes if necessary so that these changes can be voted on prior to the start of the 2005 Budget period. CARRIED.
- (c) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Whereas adverse weather conditions or unforeseen circumstances may create concerns, hazards and potentially serious emergencies; and
Whereas the present advertised P.U.C. emergency telephone line does not address residents' issues in a satisfactory, timely manner;
Therefore be it resolved that Council request P.U.C. to initiate a more effective emergency line(s) with appropriate expedient measures to deal with these issues. CARRIED.
- (d) Mover - Councillor S. Butland
Second - Councillor J. Caicco
Resolved that Council approve and resubmit the resolution of June 14th requesting some definitive responses from the Minister of Health on the specific queries posed in the original resolution as to the status of the proposed new hospital for Sault Ste. Marie. The Minister's response to the first resolution is attached for the information of Council. OFFICIALLY READ NOT DEALT WITH. WITHDRAWN BY THE MOVER/SECONDER.
- (e) Mover Councillor J. Caicco
Second Councillor S. Butland
Whereas several requests have been made of the Provincial Government by the City of Sault Ste. Marie and other charity casino venues to have the Province increase the municipal share of slot revenues from 5% to 8%; and
Whereas these requests have been made so that the extra 3% can be entirely used to help offset the negative financial impact that charitable organizations and non-profit groups have felt in charity casino venues since the casinos have opened as people redirect their disposable entertainment dollars; and
Whereas the Trillium Foundation originally had been set up by the Province to assist such groups but in fact does not effectively replace the lost revenue caused by the casino openings; and
Whereas instead of increasing the amount of money which is given to the Trillium Foundation commensurate with profits that the Province enjoys from casinos, it has actually reduced such amount, making it even more difficult for charities and non-profit groups to survive; and

7. (e) Whereas the value to any community of healthy charitable and non-profit organizations cannot be overstated in the good that is done for the community; Now therefore be it resolved that the City of Sault Ste. Marie host a meeting (forum, symposium) on the effects that charity casinos have had on charitable and non-profit organizations in those communities where they operate as well as to determine if and to what extent, the Trillium Foundation has effectively provided assistance to those groups and whether or not increased funding for the Trillium Foundation or increasing the 5% share to 8% for municipalities might deal with the serious state of such organizations in charity casino venues; and
Further be it resolved that in addition to representation of municipal government and major charities from charity casino communities, the Provincial Minister of Economic Development and Trade, the Honourable Joe Cordiano, and the Minister of Consumer and Business Services, the Honourable Jim Watson, M.P.P.'s of said communities and officials from AGCO be invited to attend.
DEFEATED.

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

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 N. DelBianco

Seconded by Councillor B. Hayes

Resolved that all the by-laws listed under item 10 of the Agenda under date 2004 10 18 be approved. CARRIED.

(a) Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that By-law 2004-184 being a by-law to authorize a Licence of Occupation between the City and Roxanne Lester with respect to Hess Street opposite Civic No. 13 Hess Street be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.

(b) Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that By-law 2004-185 being a by-law to authorize an agreement between the City and the Art Gallery of Algoma for the installation of the "Algoma Blue" artwork in Clergue Park be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.

10. (c) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-186 being a by-law to authorize an agreement between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529) for the period February 1, 2002 to January 31, 2004 be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.
- (d) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-187 being a by-law to authorize an agreement between the City and Her Majesty the Queen in Right of Canada as represented by the Federal Minister of Labour under the National Homelessness Initiative to provide financial assistance for the City's Community Plan to Prevent and Ameliorate Homelessness be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.
- (e) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-188 being a by-law to renew the Boundary Road maintenance agreement between the City and the Corporation of the Township of Prince for a five-year term be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.
- (f) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-189 being a by-law to authorize an agreement with the City and the Province in order to access the Connecting Link Fund for the reconstruction of Huron Street from Queen Street to Cathcart Street be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.
- (g) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-190 being a by-law to authorize the Mayor and the Clerk to sign an Acknowledgement of Trust whereby the City agrees to hold the land (known as the Davey Home property) in Trust for the benefit of the beneficiaries be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.
- (h) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-191 being a by-law to authorize a contract agreement between the City and General Contracting (SSM) Ltd. concerning the Base Line Railway Extension be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.

10. (h) Recorded Vote

For: Councillors J. Caicco, P. Mick, L. Turco, J. Curran, J. Collins, S. Butland, B. Hayes, N. DelBianco

Against: Councillors D. Celetti, F. Manzo

Absent: Councillors T. Sheehan, D. Amaroso

Mayor J. Rowswell declared a pecuniary interest – G. P. Flakeboard is a client of engineering firm.

- (i) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-192 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 being a by-law to remove the holding provision imposed on lands at 429 Sunnyside Beach Road be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.

Mayor J. Rowswell declared a pecuniary interest – applicant is a client of engineering firm.

- (j) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-193 being a by-law to establish optional tax classes for the 2005 taxation year be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.

- (k) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-194 being a by-law to authorize the acquisition of part of 583 Northland Road as part of the Transportation Corridor Project be read three times and passed in Open Council this 18th day of October, 2004. CARRIED.

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

- (a) Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco
Resolved that Council suspend By-law 99-100 dealing with Council's rules of procedure to allow for continuation of the Council agenda beyond 5 hours. CARRIED.

12.

ADJOURNMENT

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK