

## **MINUTES**

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

**2004 09 13**

**5:00 P.M.**

### **COUNCIL CHAMBERS**

**NOTE:** A DEPARTMENTAL REPORT WAS PRESENTED BY THE COMMUNITY SERVICES DEPARTMENT FROM 4:30 P.M. TO 5:00 P.M. FOR THE INFORMATION OF COUNCIL. IN ATTENDANCE WAS NICK APOSTLE, COMMISSIONER OF COMMUNITY SERVICES; DEBBIE BOURN, MANAGER RECREATION AND CULTURE; NORM FERA, MANAGER COMMUNITY CENTRES AND MARINE FACILITIES; AND CATHY FERGUSON, MANAGER DAY CARE SERVICES.

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

**ABSENT:** Councillor J. Caicco, S. Butland

**OFFICIALS:** J. Fratesi, D. Irving, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, J. Dolcetti, L. McCoy, D. McConnell, S. Schell

1. **ADOPTION OF MINUTES**

Moved by Councillor B. Hayes

Seconded by Councillor N. DelBianco

Resolved that the Minutes of the Regular Council Meeting of 2004 08 30 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Jim Baraniuk, Executive Director, Children's Aid Society was in attendance concerning Proclamation – Purple Ribbon Campaign.
- (b) Allan Hackett, 2004 United Way Campaign Chair was in attendance concerning Proclamation – 2004 United Way Campaign.
- (c) Evelyn Kuchma, Facilitator, Sault Ste. Marie Support Group, ALS Society of Ontario was in attendance concerning Proclamation – ALS Month.
- (d) Karen Nixon, Women in Crisis was in attendance concerning Proclamation – Take Back the Night.

4. (e) Lou St. Jules, Oncology Van Publicity Chairman was in attendance concerning Proclamation – Elks and Royal Purple Oncology Van Program Week.
- (f) Bill Dobbs, Chairperson, Sault and Area Prostate Cancer was in attendance concerning Proclamation – Prostate Cancer Awareness Week.
- (g) Fausto DiTommaso and Darla Diotte were 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 B. Hayes

Seconded by Councillor L. Turco

Resolved that all the items listed under date 2004 09 13 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) The letter from the Premier of Ontario in response to a Council resolution dated August 9<sup>th</sup> concerning funding for municipal emergency planning programs was received by Council.
- (b) Correspondence concerning the 2004 Canada Post Literacy Award was received by Council.
- (c) The News Release from AMO announcing the appointment of Councillor Lou Turco to the 2004 – 2005 AMO Board of Directors was received by Council.
- (d) Correspondence from Oxford County (concerning MPAC Improvements) was received by Council.
- (e) **Staff Travel Request**  
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor N. DelBianco

Resolved that the staff travel request contained in the report of the Chief Administrative Officer dated 2004 09 13 be approved as requested. CARRIED.

- (f) **Community Foundation**  
The report of the Manager of Finance and Audits was accepted by Council.

5. (f) Moved by Councillor P. Mick  
Seconded by Councillor N. DelBianco  
Resolved that the report of the Manager of Finance and Audits dated 2004 09 13 concerning Community Foundation be accepted as information. CARRIED.

(g) **RFP – Heat Exchanger Maintenance**

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

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2004 09 13 be endorsed and that the proposal pertaining to the provision of Heat Exchanger Maintenance at the Civic Centre, required by the Engineering and Planning Department, be accepted as recommended. CARRIED.

(h) **Tender for Traffic and Pedestrian Signal Heads**

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

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

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

(i) **Civic No. 557 Lake Street and 553 Lake Street**

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

Moved by Councillor B. Hayes

Seconded by Councillor N. DelBianco

Resolved that the report of the Director of Engineering Design and Buildings dated September 13, 2004 concerning Civic No. 553 Lake Street and 557 Lake Street be accepted and the recommendation that the Corporation proceed to hire the forces necessary to remove all debris, which includes but is not limited to discarded construction materials, rubbish, appliances, mattresses, vehicular parts and derelict vehicles, etc. from the property and dispose of them in an approved manner. Costs for this action to be recovered by adding them to the taxes of the respective properties be approved. CARRIED.

(j) **Sault Ste. Marie Fire Services 2003 Annual Report**

The report of the Fire Chief was accepted by Council.

5. (j) Moved by Councillor B. Hayes  
Seconded by Councillor L. Turco  
Resolved that the report of the Fire Chief dated 2004 09 13 concerning Sault Ste. Marie Fire Services 2003 Annual Report be accepted as information.  
CARRIED.

(k) **Bellevue Marina Lease With the Federal Government**

The report of the City Solicitor was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor N. DelBianco

Whereas the Corporation of the City of Sault Ste. Marie is desirous of obtaining title to the harbour basin for the Bellevue Marina; and

Whereas the Province of Ontario has a reversionary rights clause in place that would compel payment to the Province a sum equal to the appraised market value of the harbour basin and the water lots in order to gain the title to such property as a prerequisite to the Corporation of the City of Sault Ste. Marie gaining title prior to its development; and

Whereas several other Ontario communities are similarly affected by this "market value" reversionary policy which is unnecessary and an impediment to economic development in the province;

Therefore be it resolved that this Council petition the Government of Ontario to enter into negotiations with the affected municipalities and the federal government to find a way to allow municipalities to gain ownership of the harbour basins without being encumbered unnecessarily with reversionary rights which is an impediment to economic development opportunities in their harbour lands in the Province of Ontario; and

Be it further resolved that this resolution be circulated to other affected communities for endorsement by their councils, to the Provincial Minister of Natural Resources, to the Minister of Fisheries and Oceans, Government of Canada, to the Members of Provincial Parliament in the ridings of the other affected municipalities and to the Association of Municipalities of Ontario.  
CARRIED.

(l) **Parking Meter on Queen Street Just East of East Street**

The report of the City Solicitor was accepted by Council. The relevant By-law 2004-169 is listed under item 10 of the Minutes.

(m) **Sault Ste. Marie Public Library 2003 Annual Report**

The report of the Chairperson, Sault Ste. Marie Public Library Board was accepted by Council.

5. (m) Moved by Councillor P. Mick  
Seconded by Councillor N. DelBianco  
Resolved that the report of the Chairperson, Sault Ste. Marie Public Library Board dated 2004 09 02 concerning Sault Ste. Marie Public Library 2003 Annual Report be accepted as information. CARRIED.
- (n) **Council Travel**
- Moved by Councillor B. Hayes  
Seconded by Councillor N. DelBianco  
Resolved that Councillor Lou Turco be authorized to attend an Association of Municipalities of Ontario (AMO) Board Meeting being held in Toronto September 30, 2004 at a cost of \$300.00 to the City. CARRIED.

## **PART TWO – REGULAR AGENDA**

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

#### 6. (6) **PLANNING**

- (a) **Application No. A-18-04-Z.OP – 626 Fifth Line East – Lisa and Eddie Lofstrom - Request to Amend the Official Plan and Rezoning in Order to Permit the Sale and Service of Recreational Vehicles as an Additional Permitted Use to the Sale and Service of Trailers on Site**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Mick  
Seconded by Councillor L. Turco

Resolved that the report of the Planning Division dated 2004 09 13 concerning Application No. A-18-04-Z.OP – Lisa and Eddy Lofstrom be accepted and the recommendation that Council DEFER the application to a future meeting to allow the applicant an opportunity for further exploration of the available options; and further that a new notice be mailed to those persons who appeared before Council or wrote to City Council concerning this application be approved. CARRIED.

- (b) **Application No. A-33-04-Z – 25 Stevens Street – Fausto DiTommaso - Request to Rezone in Order to Allow the Existing Legal Nonconforming Building to be Replaced With a New Structure**

The report of the Planning Division was accepted by Council.

6. (6)

(b)

Moved by Councillor N. DelBianco

Seconded by Councillor L. Turco

Whereas the Application No. A-33-04-Z is requesting a Special Exception to the R-6 Zone in order to allow the existing legal non-conforming building to be replaced by a new structure; and

Whereas the neighbours in the area are not opposing this application, but have concerns pertaining to this development and as such have submitted a petition requesting a strict site plan agreement be followed;

Therefore be it resolved that under the Planning Director's recommendation, that a fourth condition be added prior to approval of this application:

4) Upon relocation of the new structure on the existing site, all landscaping and buffering be completed within 90 days. CARRIED.

Moved by Councillor B. Hayes

Seconded by Councillor N. DelBianco

Resolved that the report of the Planning Division dated 2004 09 13 concerning Application No. A-33-04-Z – Fausto DiTommaso be accepted and the recommendation that Council approve the application subject to the 3 conditions contained in the report be endorsed, AS AMENDED. CARRIED.

(c)

**Application No. A-35-04-OP – 1440 Leigh's Bay Road – Dennis and Deanna Lethbridge - Request to Amend the Official Plan in Order to Allow for the Creation of Two New Rural Area Building Lots**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the report of the Planning Division dated 2004 09 13 concerning Application No. A-35-04-OP – Dennis and Deanna Lethbridge be accepted and the Planning Director's recommendation that City Council approve the application subject to approval of Official Plan Amendment No. 89 be endorsed. CARRIED.

7.

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

(a)

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Whereas the Davey Home Board of Management has requested "expressions of interest" from interested parties to acquire the old F. J. Davey Home site which has an appraised value of \$2.2 Million; and

Whereas City Council at its August 30, 2004 meeting, decided to not proceed with an expression of interest in the ultimate disposal of the old F. J. Davey Home; and

7. (a) Whereas the City of Sault Ste. Marie is entitled to the major portion of the proceeds of the sale of the property (76%);  
Now therefore be it resolved that the Legal Department be requested to write to the Davey Home Board of Management and request that the City be given the first right of refusal in order that the City have a further opportunity to match any offers which the Board may receive and considers acceptable. CARRIED.
- (b) Moved by Councillor T. Sheehan  
Seconded by Councillor B. Hayes  
Whereas the Children's Aid Society of Algoma provides our City's most valuable asset, our children, with protection and care; and  
Whereas the Children's Aid Society of Algoma is in a budget crisis; and  
Whereas the City of Sault Ste. Marie has experienced an increase in the number of child abuse cases reported in recent years, including a 36% increase this past year;  
Therefore be it resolved that the Mayor on behalf of City Council write a letter to David Oraziatti, M.P.P. Sault Ste. Marie asking for his assistance in immediately approaching and lobbying the Ontario Government for an increase in funding and resources for the Children's Aid Society of Algoma and that they look at the current provincial funding model so as to address the needs of cities like Sault Ste. Marie. 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**
- (a) Moved by Councillor B. Hayes  
Seconded by Councillor N. DelBianco  
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2004 09 13 be approved. CARRIED.
- (b) Moved by Councillor B. Hayes  
Seconded by Councillor N. DelBianco  
Resolved that By-law 2004-169 being a By-law to amend Schedule "B" of Traffic By-law 77-200 be read three times and passed in Open Council this 13<sup>th</sup> day of September, 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 L. Turco  
Resolved that this Council shall now go into Caucus to discuss one property matter (possible land acquisition). CARRIED.

12. **ADJOURNMENT**

Moved by Councillor P. Mick  
Seconded by Councillor N. DelBianco  
Resolved that this Council shall now adjourn. CARRIED.

\_\_\_\_\_  
"John Rowswell"

**MAYOR**

\_\_\_\_\_  
"Donna P. Irving"

**CLERK**